



Mandatory Monitoring for all DUI Offenders

Voice of Victims of DUI Deaths, www.zeroduideaths.org

PROBLEMS

- Limited access to public transportation in Montana makes life tough if you can't drive. It is difficult to comply with license suspension.
- "Essential function only" license restriction is poorly defined and not enforceable.
- One night in jail keeps the offender from driving home that night. But the most effective way to prevent future impaired driving is through monitoring and treatment. There are several excellent strategies for this such as DUI courts and the 24/7 sobriety program. These are required for 2nd or subsequent DUI convictions. But for the first DUI (even if it is aggravated) there is no required monitoring or treatment.
- Underage drivers have minimal consequences for DUI—a small fine and education.
- Over 40% offenders convicted of "DUI1" have been arrested for DUI before. We don't know how many have been "given a ride home" rather than arrested and charged.

SOLUTIONS

- Ignition interlock is the least expensive monitoring strategy. It is currently underutilized in Montana. New technology and new provider rules (proposed by the DOJ) makes interlock even more effective.
- Interlock has the best research support. States which implemented mandatory interlock for all DUI offenders have shown dramatic reduction in DUI related fatalities.
- Probationary interlock license keeps people driving legally [and soberly].
- Monitoring changes behavior; prevent repeat DUIs; it only takes 1 DUI to kill someone.

To reduce jail costs, prevent DUIs, and save lives:

1. Remove mandatory jail time for first DUI
2. Mandatory Ignition Interlock for first DUI (including underage DUI)
3. Strengthen Ignition Interlock statute and increase penalties for noncompliance

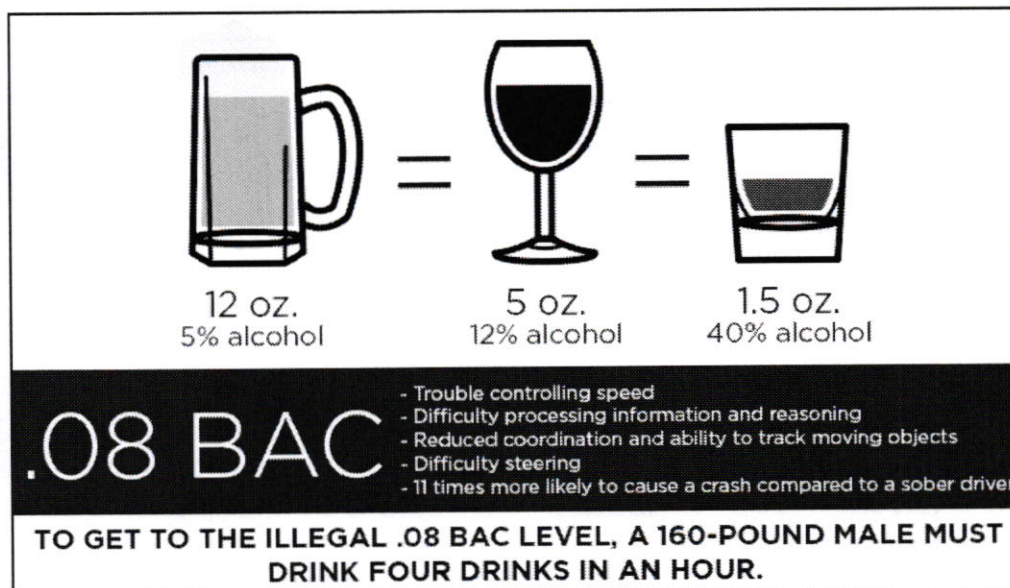


Ignition Interlocks Save Lives

Ignition interlocks are effective in reducing repeat drunk driving offenses by 67 percent while the device is installed compared to license suspension alone. (CDC)

Interlocks help reduce repeat offenses even after the device is removed by 39 percent compared to offenders who never installed an interlock. (Marques, 2010)

First-time offenders are serious offenders. Research from the CDC indicates that first time offenders have driven drunk at least 80 times before they are arrested.



All-offender ignition interlock laws stop drunk drivers with a blood alcohol concentration (BAC) .08 or greater from reoffending.

The FACTS

- An interlock is more effective than license suspension alone, as 50 to 75 percent of convicted drunk drivers continue to drive on a suspended license.
- All-offender interlock laws are widespread. Thirty-two states, DC plus a California pilot program (covering a population of over 13 million) have laws requiring ignition interlocks for all first-time convicted drunk drivers.
- As of December 2017, there are approximately 349,030 interlocks in use in the United States.

Ignition interlock laws saves lives. Due in part to laws requiring interlocks for all convicted drunk drivers, drunk driving deaths have declined dramatically and at a better pace compared to the national average decline:

- | | | |
|------------------------------------|--------------------------------|---------------------------------|
| ✓ West Virginia: 52 percent | ✓ Louisiana: 39 percent | ✓ New Mexico: 24 percent |
| ✓ Arizona: 41 percent | ✓ Kansas: 29 percent | ✓ Hawaii: 23 percent |
| ✓ Mississippi: 39 percent | ✓ Delaware: 28 percent | ✓ Tennessee: 22 percent |

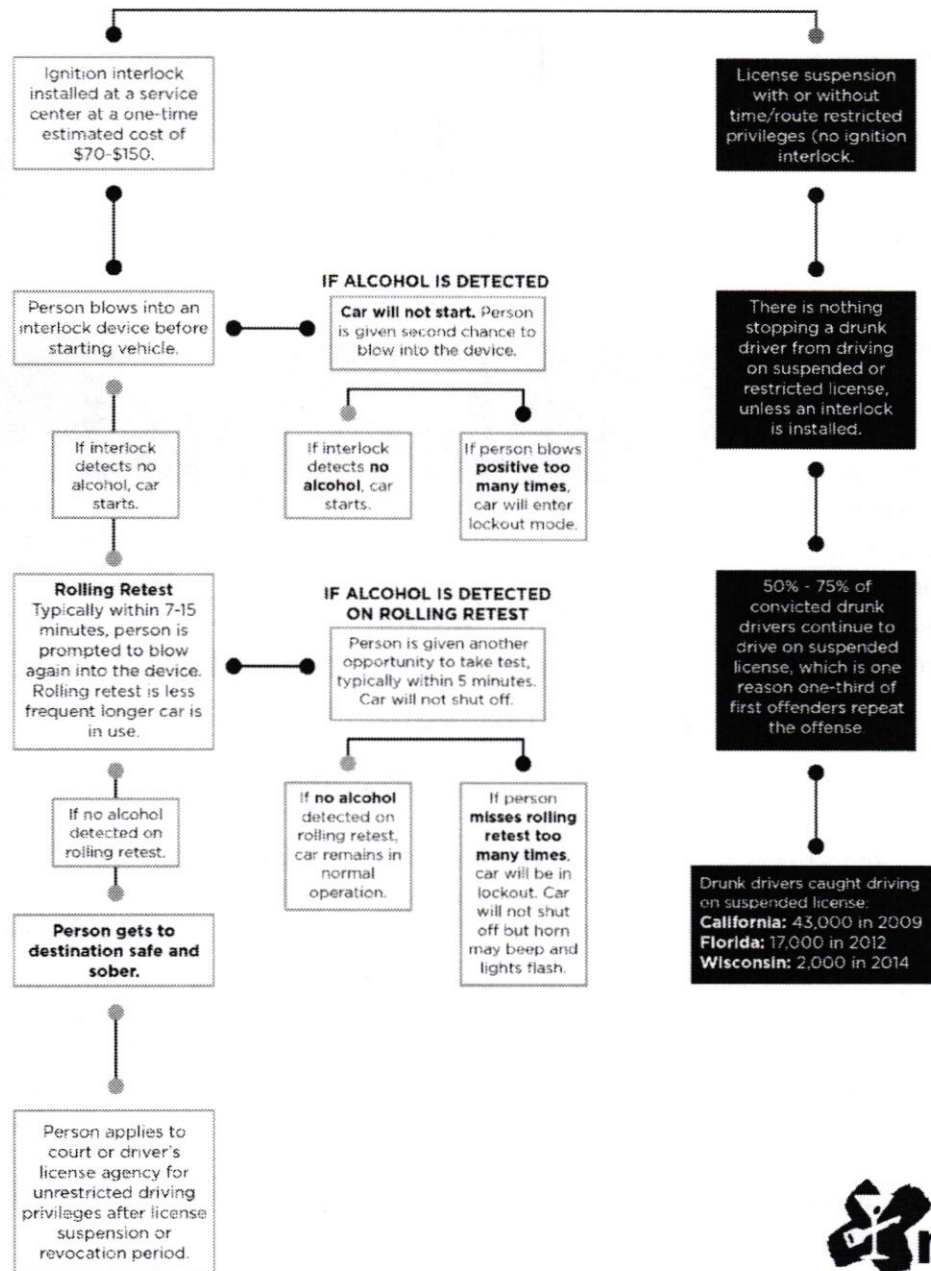
Public supports Interlocks for all convicted drunk drivers. Three surveys indicate strong public support of ignition interlocks for all convicted drunk drivers.

- 88 percent (Center for Excellence in Rural Safety, 2010)
- 84 percent (Insurance Institute for Highway Safety, 2009)
- 76 percent (American Automobile Association, 2012)

In addition to MADD, other traffic safety groups support ignition interlocks for all convicted drunk drivers, including all first offenders with an illegal blood alcohol concentration (BAC) of .08 or greater.

- | | |
|--|--|
| ○ Advocates for Auto and Highway Safety | ○ International Association of Chiefs of Police (IACP) |
| ○ American Automobile Association (AAA) | ○ National Safety Council |
| ○ Auto Alliance | ○ National Transportation Safety Board (NTSB) |
| ○ Centers for Disease Control and Prevention (CDC) | |
| ○ Insurance Institute for Highway Safety (IIHS) | |

Ignition Interlock vs. License Suspension After DUI




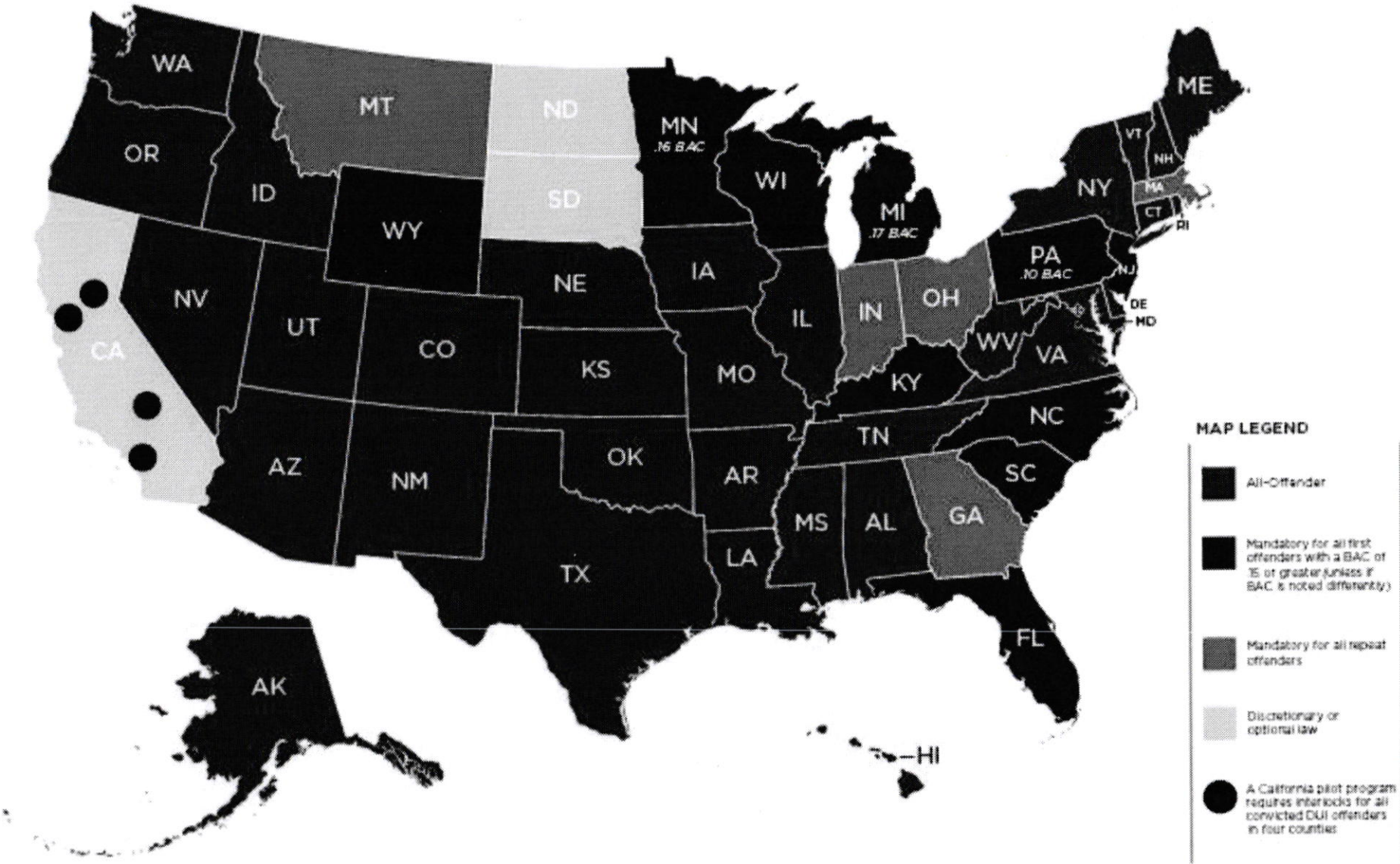
People who use an interlock are less likely to reoffend. Compared to license suspension alone, interlocks reduce repeat offenses by 67% while the device is installed and 39% after the device is removed. Compliance Based Removal could help decrease repeat offenses even more.

MADD supports ignition interlocks for ALL apprehended drunk drivers. Interlocks accomplish what license suspension and other monitoring technologies do not — separate drinking from driving.

- **Interlock Service Center:** Person must get interlock serviced every 30 days.
- **Lockout Mode:** If person blows positive for alcohol too many times or misses a rolling test, device may need to be taken to get serviced sooner than 30 days.
- **Extra time on interlock possible.** The interlock service center may report any violations, too many positive blows or missed rolling retests to a monitoring agency which may result in extra time on interlock if the state has a **Compliance Based Removal** aspect to the interlock law. Many states require offenders to show proof of installation and/or compliance with the interlock order to the court/driver's license agency in order to have device removed.

Status of Ignition Interlock Laws

CAMPAIGN TO
ELIMINATE
DRUNK DRIVING




Revised April 2018



Mothers Against Drunk Driving
National Office
madd.org

1200 18th Street, NW
Suite 700
Washington, DC 20036

877.ASK.MADD
877.MADD.HELP victim support

Ignition Interlocks:

Every State, For Every Apprehended Drunk Driver

In 2016, 10,497 people were killed in crashes caused by a drunk driver with a blood alcohol concentration (BAC) of .08 or greater. General deterrence law enforcement efforts, like sobriety checkpoints and other special police activities, are designed to let the public know that if they drive drunk they will be arrested and face consequences. These enforcement efforts, coupled with paid advertising in order to publicize police activity, are proven and highly effective tools in the fight to deter would-be drunk drivers. While police efforts are critical and have greatly reduced the number of drunk driving trips and resulting fatalities and injuries, unfortunately these efforts have not overcome the problem and too many people continue to drive while impaired.

Would-be drunk drivers and convicted offenders need to know that the consequences to their actions will be swift and sure, and policymakers must ensure that these consequences are effective. One of the most effective ways to prevent a convicted drunk driver from re-offending is to make sure that he or she will not be able to start his or her vehicle while impaired. The ignition interlock device does just that.

In 2006, Mothers Against Drunk Driving (MADD) launched its Campaign to Eliminate Drunk Driving. The Campaign focuses on encouraging more widespread use of high-visibility law enforcement efforts, as well as technology designed to stop offenders from driving drunk.

As part of the Campaign, MADD recommends the mandatory installation of ignition interlocks in every state for every convicted drunk driving offender. Interlocks must be installed for a minimum of six months. States should provide strong incentives for interlock use and compliance by drunk drivers.

The first state ignition interlock pilot program began in California in 1986. When MADD launched the Campaign in 2006, there were only 100,000 interlocks installed in the United States. As of August 2016, there were nearly 337,000 interlocks in use.

Today, thirty-two states plus Washington, DC require or highly incentivize the use of an ignition interlock for every convicted offender and California has an all offender law in four counties covering more than 13 million people.



Mothers Against Drunk Driving
National Office
madd.org

1200 18th Street, NW
Suite 700
Washington, DC 20036

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MADD's Model Ignition Interlock Law Provisions

Section 1: No hard license suspension period prior to interlock order of any convicted drunk driver.

Section 2: Require interlocks for all convicted drunk drivers with a blood alcohol concentration of .08 or above.

Section 3: Provide strong incentives for ignition interlock use and compliance

Section 4: Compliance based removal of interlock order.

Section 5: Require interlock for refusing a chemical test.

Section 6: Allow arrested offender the option to go on interlock sooner if they waive their Administrative License Revocation (ALR) Hearing, provide day for day credit for interlock installation after arrest but prior to criminal conviction.

Section 7: Drunk drivers should pay for the ignition interlock.

Section 8: Charge an administrative fee that allows the Department of Motor Vehicles to hire additional employees to administer the interlock program.

Section 9: Have an indigent program allowing for poorer offenders to have access to interlocks.

Section 10: Penalties for tampering, circumventing the interlock or failure to install.

Section 11: Hybrid Judicial and DMV interlock program.

Section 12: Require lengthier interlock sentences for those who commit a DWI with a child in their vehicle.

MADD's Model Ignition Interlock Law Provisions

SECTION 1: No hard license suspension period prior to interlock order.

"If such person has not had a prior DWI conviction or revocation, the person shall be only allowed to operate a motor vehicle if it is equipped with an approved ignition interlock device, and such person drives with the device for a **minimum period of six months with a first revocation or conviction, a minimum of one year with a second revocation or conviction, and a minimum of five years with a third revocation or conviction.** Such order to operate a motor vehicle only if it is equipped with an ignition interlock device shall be administered upon an administrative hearing or upon final judgment of any appeal or review."

Drafters Note: There is no need for a hard license suspension period following a drunk driving conviction. The sooner a convicted drunk driver is on an interlock device the better as up to 75 percent of convicted drunk drivers drive illegally on a suspended license.

SECTION 2: Require interlocks for all convicted drunk drivers with a blood alcohol concentration of .08 or above.

The following time periods of interlock usage can be substituted for the first revocation or conviction where the offender has had multiple offenses, but they have not necessarily resulted in actual recorded convictions.

- 1st revocation: six months using an interlock-restricted license
- 2nd revocation: at least one year using an interlock-restricted license
- 3rd revocation: five years using an interlock-restricted license
- 4th or subsequent revocation: ten years using an interlock-restricted license

SECTION 3: Provide strong incentives for ignition interlock use and compliance.

"A first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions can be granted a plea deal, non-disclosure clearing or sealing the person's drunk driving offense. If the person reoffends, the second offense should count as a second offense."

Drafters Note: "Non-Disclosure" means the drunk driving offense would be removed from their criminal record. However, the legislation should be drafted to ensure that a second drunk driving offense following a first-time offense would be prosecuted as a second offense. Only offenders who do not cause injury or property damage can apply for the one-time non-disclosure. "Six continuous months" means that an offender must not have a recordable violation as noted in Section 4 on compliance based removal.

SECTION 4: Compliance based removal of interlock order.

"As a condition of a license revocation for drunk driving or if the Court orders an ignition interlock device, the Court shall order the DMV to issue to the Defendant a restricted interlock license which indicates the defendant is allowed to operate a motor vehicle only if it is

equipped with an ignition interlock device. Such order shall remain in effect for the prescribed period of interlock usage; such order will end and not be extended if the Defendant blows alcohol-free for the duration of the period he is prescribed to operate a motor vehicle with an ignition interlock device."

"A interlock restriction imposed this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that there have been none of the following incidents in the four consecutive months prior to the date of release:

- (a) An attempt to start the vehicle with a breath alcohol concentration of 0.04 or more;
- (b) Failure to take or pass any required retest; or
- (c) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device."

SECTION 5: Require interlock for refusing a chemical test.

"Any person for whom there is probable cause to believe was driving under the influence and refuses to submit to a blood or breath test, must use an ignition interlock device for a minimum of one year as a condition to maintaining a valid driver's license."

SECTION 6: Allow arrested offender the option to go on interlock sooner if they waive their Administrative License Revocation (ALR) Hearing, day for day credit for interlock installation.

"On behalf of the director, the arresting peace officer submitting a sworn report under this section shall serve notice of the revocation on the arrested person, and the revocation shall be effective fifteen days after the date of arrest. The notice of revocation shall contain a statement explaining the operation of the administrative license revocation procedure. The peace officer shall also provide to the arrested person information prepared and approved by the director describing how to request an administrative license revocation hearing or apply for an ignition interlock permit from the department. A petition for an administrative license revocation hearing must be completed and delivered to the department or postmarked within ten days after the person's arrest or the person's right to an administrative license revocation hearing to contest the revocation will be foreclosed. The director shall prepare and approve the information form, the application for an ignition interlock permit, and the notice of revocation and shall provide them to law enforcement agencies.

Any arrested person who submits an application for an ignition interlock permit in lieu of a petition for an administrative license revocation hearing regarding the revocation of his or her operator's license pursuant to this section shall complete the application for an ignition interlock permit in which such person acknowledges that he or she understands that he or she will have his or her license administratively revoked pursuant to this section, that he or she waives his or her right to a hearing to contest the revocation, and that he or she understands that he or she is required to have an ignition interlock permit in order to operate a motor vehicle for the period of the revocation and shall include sufficient evidence that an ignition interlock device is installed on one or more vehicles that will be operated by the arrested person. Upon the arrested person's completion of the ignition interlock permit application

process, the department shall issue the person an ignition interlock permit, subject to any applicable requirements and any applicable no-drive period if the person is otherwise eligible.

Day for day credit. An arrested person who is issued an ignition interlock permit pursuant to this section shall receive day-for-day credit for the period he or she has a valid ignition interlock permit against the license revocation period imposed by the court arising from the same incident.

If a person files a completed application for an ignition interlock permit, the person waives his or her right to contest the revocation of his or her operator's license.

Any person who has not petitioned for an administrative license revocation hearing and is subject to an administrative license revocation may immediately apply for an ignition interlock permit to use during the applicable period of revocation, subject to the following additional restrictions:

- a) If such person submitted to a chemical test which disclosed the presence of a concentration of alcohol and has no prior administrative license revocations at the time the order of revocation is issued, the ignition interlock permit will be immediately available fifteen days after the date of arrest or the date notice of revocation was provided to the arrested person, as long as he or she is otherwise eligible for an ignition interlock permit, upon completion of an application process for an ignition interlock permit;
- b) If such person submitted to a chemical test which disclosed the presence of a concentration of alcohol and has one or more prior administrative license revocations on which final orders have been issued, the ignition interlock permit will be available beginning fifteen days after the date of arrest or the date notice of revocation was provided to the arrested person, as long as he or she is otherwise eligible for an ignition interlock permit, upon completion of an application process for an ignition interlock permit;
- c) If such person refused to submit to a chemical test of blood, breath, or urine as required by, the ignition interlock permit will be available beginning fifteen days after the date of arrest, as long as he or she is otherwise eligible for an ignition interlock permit, upon completion of an application process for an ignition interlock permit; and
- d) Any person who petitions for an administrative license revocation hearing shall not be eligible for an ignition interlock permit unless ordered by the court at the time of sentencing for the related criminal proceeding."

SECTION 7: Drunk drivers should pay for the ignition interlock.

"The costs incurred in order to comply with the ignition interlock requirements shall be paid by the person ordered to install an ignition interlock device unless the Court or department has determined the person to be indigent.

SECTION 8: Charge an administrative fee that allows the Department of Motor Vehicles to hire additional employees to administer the interlock program.

"A person ordered to install an ignition interlock device or who installs the device as a condition of a revoked or suspended license shall pay an ignition interlock administrative fee unless the court or department has determined the defendant to be indigent. The DMV shall establish the fee, of at least thirty dollars and not exceeding One-Hundred dollars. The fee shall be collected at time of installation by the vendor installing the ignition interlock device. The vendor shall remit the fees to the DMV on a quarterly basis. A percentage of the fees shall go towards paying the DMV's costs to administer the interlock program; a percentage of the fees shall go towards other government agencies implementing the interlock program."

SECTION 9: Have an indigent program allowing for poorer offenders to have access to interlocks.

"If the person claims inability to pay, the court or the department shall provide the following discounts on the monthly leasing fee:

1. If a person's family income is at or below 100 percent of the federal poverty level as documented by written order of the court, the regular monthly leasing fee charged to all customers by the interlock provider shall be discounted by 50 percent.
2. If a person's family income is at or below 149 percent of the federal poverty level as documented by written order of the court, the regular monthly leasing fee charged to all customers by the interlock provider shall be discounted by 25 percent.

Persons who qualify for a reduced leasing fee as provided in this paragraph are not required to pay the costs of installation or removal of the device. Non indigent offenders shall pay to the clerk of court or DMV an ignition interlock surcharge of \$50.

SECTION 10: Penalties for tampering, circumventing, or failure to install the interlock.

"Any person restricted to operating a motor vehicle equipped with an ignition interlock device who operates a vehicle without using such device or who tampers with or alters the interlock device in any way shall be punished with a felony and additional time using an ignition interlock device as a condition to getting his or her unrestricted driver's license reinstated."

"Ignition interlock device tampering; failure to install. No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court or administrative order. No person may fail to have the ignition interlock device installed as ordered by the court or Department of Motor Vehicles before being granted unrestricted driving privileges. Any person restricted to operating a motor vehicle equipped with an ignition interlock device who violates this section shall be charged with a misdemeanor. This section does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

SECTION 11: Hybrid Judicial and DMV interlock program.

"Authority to administer the Ignition Interlock Program should be vested with a state's Department of Motor Vehicles in conjunction with a state's judiciary. The Department of Motor Vehicles should set regulations for the Ignition Interlock Program. These regulations include ensuring the presence of licensed interlock providers within the state, requiring use of the most modern anti-circumvention fuel cell technology interlock systems, device equipped with cameras to verify the identity of the interlock user, and maintaining reporting systems for those sentenced to use interlocks.

In order to be granted interlock driving privileges, an offender must provide proof of interlock installation in a form approved by the state from an interlock vendor. If a judge fails to order an ignition interlock for a convicted drunk driver, the Department of Motor Vehicles should not grant unrestricted driving privileges to a convicted drunk driver until the offender provides proof of completion of the state's ignition interlock program requirements."

SECTION 12: Require lengthier interlock sentences for those who commit a DWI with a child in their vehicle.

"Any person who drives under the influence while transporting a person under 16 years of age in his or her vehicle will be required to drive with an ignition interlock device for a minimum of six additional months above the period ordinarily prescribed for his or her drunk driving conviction or revocation."

State Ignition Interlock Laws

State	Ignition Interlock Law
Alabama	Required for all convicted drunk drivers
Alaska	Required for all convicted drunk drivers
Arizona	Required for all convicted drunk drivers
Arkansas	Required for all convicted drunk drivers
California	Required for all convicted drunk drivers in four counties: Los Angeles, Alameda, Sacramento, and Tulare. Discretionary for any convicted drunk drivers in other counties.
Colorado	Required for all convicted drunk drivers
Connecticut	Required for all convicted drunk drivers
Delaware	Required for all convicted drunk drivers
D.C.	Required for all convicted drunk drivers
Florida	Required for first time convicted drunk drivers with a BAC of .15 or greater and for repeat offenders
Georgia	Required as a condition of probation for repeat offenders and first-time offenders can choose to go an ignition interlock
Hawaii	Required for all first time convicted drunk drivers
Idaho	Required for all convicted drunk drivers
Illinois	Required for all convicted drunk drivers
Indiana	Required for repeat offenders, discretionary for first-time offenders.
Iowa	Required for all convicted drunk drivers
Kansas	Required for all convicted drunk drivers
Kentucky	Required for all repeat and first-time offenders with a BAC of .15 or greater
Louisiana	Required for all convicted drunk drivers
Maine	Required for all convicted drunk drivers
Maryland	Required for all convicted drunk drivers
Massachusetts	Required for repeat offenders
Michigan	Required for all repeat and first time offenders with a BAC of .17 or greater
Minnesota	Required for all repeat and first time offenders with a BAC of .16 or greater
Mississippi	Required for all convicted drunk drivers
Missouri	Required for all convicted drunk drivers
Montana	Required for repeat offenders
Nebraska	Required for all convicted drunk drivers

State Ignition Interlock Laws

State	Ignition Interlock Law
Nevada	Required for all convicted drunk drivers
New Hampshire	Required for all convicted drunk drivers
New Jersey	Required for first time convicted drunk drivers with a BAC of .15 or greater and for repeat offenders
New Mexico	Required for all convicted drunk drivers
New York	Required for all convicted drunk drivers
North Carolina	Required for first time convicted drunk drivers with a BAC of .15 or greater and for repeat offenders
North Dakota	Discretionary
Ohio	Required for repeat offenders
Oklahoma	Required for all convicted drunk drivers
Oregon	Required for all convicted drunk drivers
Pennsylvania	Required for first-time offenders with a BAC of .10 or greater and for all repeat offenders
Rhode Island	Required for all convicted drunk drivers
South Carolina	Required for first-time offenders with a BAC of .15 or greater and for repeat offenders
South Dakota	Discretionary as part of the 24/7 sobriety program
Tennessee	Required for all convicted drunk drivers
Texas	Required for all convicted drunk drivers
Utah	Required for all convicted drunk drivers
Vermont	Required for all convicted drunk drivers
Virginia	Required for all convicted drunk drivers
Washington	Required for all convicted drunk drivers
West Virginia	Required for all convicted drunk drivers
Wisconsin	Required for first time convicted drunk drivers with a BAC of .15 or greater and for repeat offenders
Wyoming	Required for first time convicted drunk drivers with a BAC of .15 or greater and for repeat offenders

Revised April 11, 2018

Teoh et al, Insurance Institute for Highway Safety, "State Ignition Interlock Laws and Fatal Crashes," March 2013.

- The number of impaired driving crashes falls 16 percent when states enact all-offender ignition interlock laws.
- If all states mandated interlocks for all DUI offenders, more than 500 of those deaths would have been avoided.

McGinty, Emma E. American Journal of Preventative Medicine, "Ignition Interlock Laws: Effects on Fatal Motor Vehicle Crashes, 1982–2013," January, 2017

- Ignition interlock laws reduce alcohol-involved fatal crashes. Increasing the spread of interlock laws that are mandatory for all offenders would have significant public health benefit.
- Laws requiring interlocks for all drunk driving offenders with a blood alcohol concentration (BAC) of .08 or greater were associated with a seven percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for first-time offenders with a BAC of .15 or greater were associated with an eight percent decrease in the rate of drunk driving fatal crashes.
- Laws requiring interlocks for segments of high-risk drunk driving offenders, such as repeat offenders, may reduce alcohol-involved fatal crashes after 2 years of implementation.

California DMV Study of Four-County Ignition Interlock Pilot Program, June 2016

- Ignition interlocks are **74% more effective** in reducing DUI recidivism than license suspension alone for first offenders during first 182 days after conviction.
- Interlocks are **45% more effective** in preventing a repeat DUI incidence when compared to license suspension alone during days 183 to 365 after conviction. (Many first-time offenders have the device removed after 182 days of use.)
- Ignition interlocks are **70% more effective** than license suspension alone in preventing repeat offenses for second-time offenders, compared to license suspension alone, for the first 364 days of use.
- Interlocks are **58% more effective** in preventing a repeat DUI incidence during days 365 to 730 days of use for second-time offenders.
- **Third-time offenders who only had a suspended license were 3.4 times more likely to have a fourth DUI conviction or incidence** compared to the interlocked offender group.
- Because interlocked offenders are able to be part of society and provide for their family by driving to work, grocery stores, restaurants and anywhere else, their crash risk is most likely similar to the general driving population in California, but higher than offenders whose licenses were suspended or revoked and not permitted to drive.

Kaufman, University of Pennsylvania, "Impact of State Ignition Interlock Laws on Alcohol-Involved Crash Deaths in the United States," March 2016

- DUI deaths decreased by **15%** in states that enacted all-offender interlock laws.
- States with mandatory interlock laws saw a **0.8 decrease in deaths for every 100,000 people each year** – which is comparable to lives shown to have been saved from mandatory airbag laws (0.9 lives saved per 100,000 people).

Mothers Against Drunk Driving, "How Technology Stopped 1.77 million Drunk Drivers," February 10, 2016

- Ignition interlocks have prevented more than 1.77 million would-be drunk drivers with a blood alcohol concentration of .08 or greater in the U.S.
<http://www.talklikemadd.org/books/IgnitionInterlockReport2016/>

Ullman, Darin F. International Review of Law and Economics 45, "Locked and not loaded: First time offenders and state ignition interlock programs," 2016, 1–13.

- The interlock program should be applied to first time offenders who are not just high-BAC offenders.
- Additionally, the interlock program provides a low cost solution, paid for by off-enders, to a dangerous and often fatal activity that imposes large social and economic costs on society.
- To maximize public health, states with weak IID laws or states that currently have no interlock program which require mandatory participation for first time off-enders, should adopt strong IID programs to prevent future costly alcohol-related fatal crashes.
- Results indicate that the potential for interlock programs to prevent alcohol involved driving and alcohol-related crashes is most significant when the program is applied to a broader cross-section of offenders and a higher proportion of offenders have the interlock device installed.

National Highway Traffic Safety Administration, Mayer, "Ignition Interlocks – What You Need to Know: A Toolkit for Policymakers, Highway Safety Professionals, and Advocates (2nd Edition)," 2014. DOT HS 811 883

- The record of breath tests logged into an ignition interlock has been effective in predicting the future DWI recidivism risk.
- Offenders with higher rates of failed BAC tests have higher rates of post-ignition interlock recidivism.

National Transportation Safety Board, "Safety Report Reaching Zero: Actions to Eliminate Alcohol-Impaired Driving," 2013.

- Administrative license suspension or revocation laws are an effective means of reducing alcohol-impaired traffic fatalities, and such laws could be strengthened by requiring that individuals arrested for driving while intoxicated (DWI) install an alcohol ignition interlock as a condition of license reinstatement.

McCartt, Leaf, Farmer, and Eichelberger, Traffic Injury Prevention, "Washington State's Alcohol Ignition Interlock Law: Effects on Recidivism Among First-Time DUI Offenders," 2013.

- Mandating interlock orders for all first DUI convictions was associated with reductions in recidivism, even with low interlock use rates, and reductions in crashes.
- Additional gains are likely achievable with higher rates.
- Jurisdictions should seek to increase use rates and reconsider permitting reductions in DUI charges to other traffic offenses without interlock order requirements.

Voas, Tippetts, and Grosz, Alcoholism Clinical Experimental Research, "Administrative Reinstatement Interlock Programs: Florida, A 10-Year Study."

- Recidivism Rates...it is not surprising that the recidivism rate rose with the number of years of revocation.
- The lower section of Table 5 presents the annual recidivism rates of offenders while the interlock was on their vehicles and after it had been removed. In keeping with past research, the recidivism rate while on the interlock was approximately two-thirds lower than after the units were removed.

Table 5. Recidivism Rates of Offenders: While Revoked, During, and After the Interlock Period			
	Period	% Recidivating	Number of Subjects
Recidivism of all mandated to receive interlock during 'hard' suspension	1 year	4.38%	91,520
	2 Years	4.90%	60,709
	3 years	5.29%	42,464
	4 years	6.00%	29,282
	5 years	6.86%	18,600
Recidivism while interlock was installed	6 months	.55%	36,063
	1 year	1.20%	19,581
Recidivism after interlock was removed	1 year	3.55%	24,976
	2 years	6.76%	18,095

National Transportation Safety Board "Highway Special Investigation Report Wrong-Way Driving, 2012.

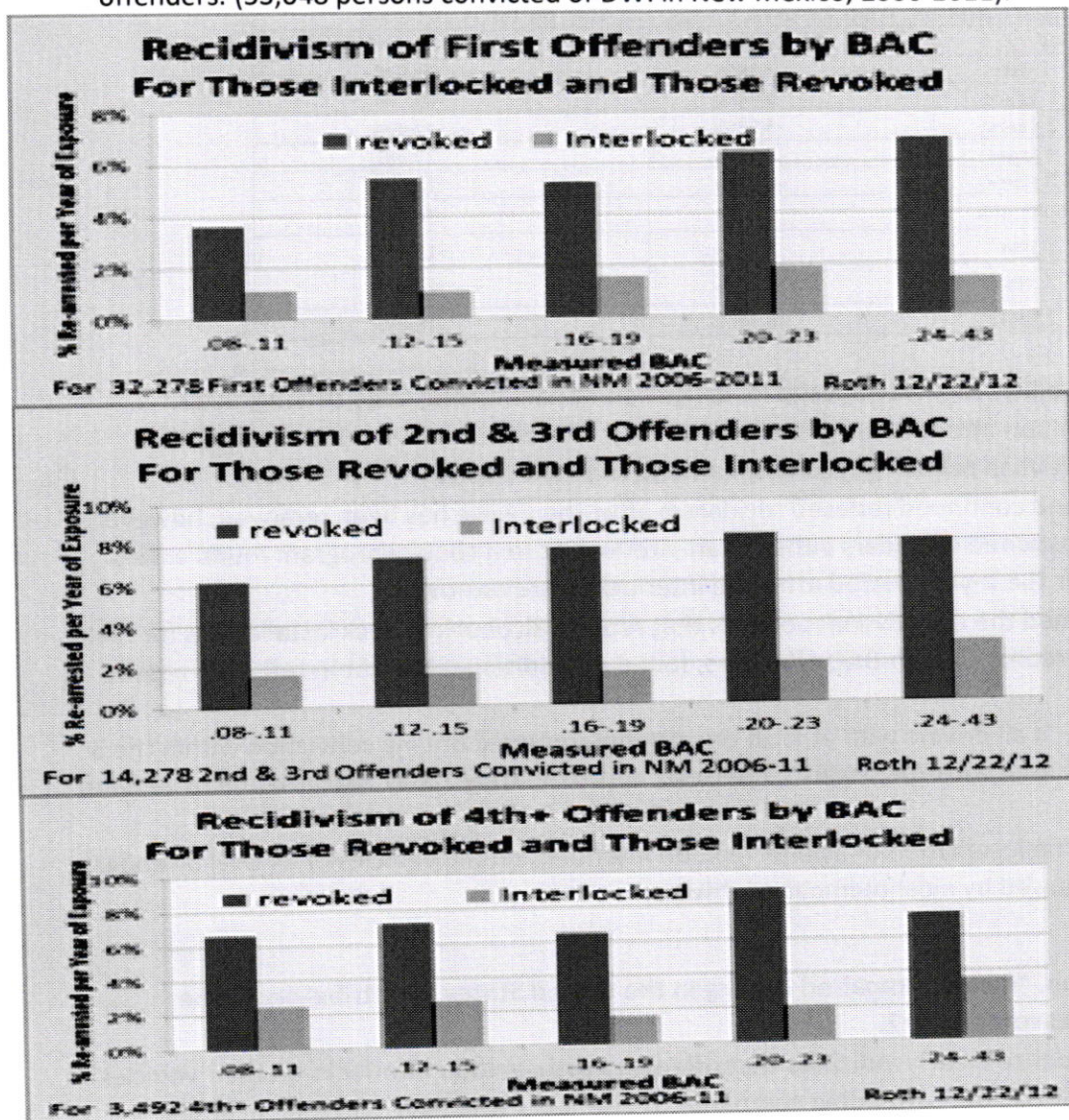
- Research evaluation of ignition interlock programs over the last two decades has found that ignition interlock devices are effective in reducing recidivism among DWI offenders.
- Most studies have not found continued reduced recidivism after the device has been removed; however, one study that randomly assigned offenders either to an interlock or to a control program found a 36% reduction in recidivism for the 2-year period after the interlocks were removed.
- A recent study that examined the effectiveness of laws that require alcohol interlock installations for first-time offenders, as well as repeat or high-BAC offenders, found an additional benefit in reducing repeat DWI offenses.
- According to one estimate, if all drivers with at least one alcohol-impaired driving conviction within the 3 years prior to the accident used zero-BAC interlock devices, approximately 1,100 deaths could have been prevented in 1 year.
- The NTSB concludes that the installation of alcohol ignition interlocks on the vehicles of all DWI offenders would reduce accidents caused by alcohol-impaired drivers.

Traffic Injury Prevention, Ferguson, "Alcohol-Impaired Driving in the United States: Contributors to the Problem and Effective Countermeasures," 2012.

- The available scientific evidence clearly indicates that offenders with ignition interlocks on their vehicles are at a substantially lower risk of reoffending compared to offenders who have had their licenses suspended.
- A review undertaken by the Cochrane Collaboration (Willis et al. 2004) reported that when these devices are used on the vehicles of convicted DWI offenders, they reduce recidivism by about two thirds (Willis et al. 2004).
- These effects were similar for first time offenders and repeat offenders alike.
- The additional studies examined by Elder et al. (2011) found similar effect sizes. Pooling the data from many of the studies, Elder (2011) estimated the median effect as a reduction of 67 percent (range -85 to -50%) in recidivism. Effect sizes were similar for first-time and repeat offenders.

Roth, Presentation to NHTSA Region 5, "Comparison of Recidivism Rates for NM DWI Offenders Obtaining Ignition Interlock Driving Privileges and Offenders with 'Hard' License Suspensions," Madison, WI, October, 2012.

- Recidivism per year of exposure by BAC group and conviction number for interlocked vs revoked offenders. (53,048 persons convicted of DWI in New Mexico, 2006-2011).



Centers for Disease Control and Prevention, 2011

- Re-arrest rates decreased by a median of 67 percent relative to comparison groups in a review of 15 studies

Marques, 2010

- Re-arrest rates decreased by 39 percent after the device is removed compared to offenders who never installed an interlock

Rauch, Zador, Ahlin, Howard, Frissell, and Duncan. American Journal of Public Health, Vol 100, No. 5, "Risk of Alcohol-Impaired Driving Recidivism Among First Offenders And Multiple Offenders." May 2010.

- The recidivism rate among first offenders more closely resembles that of second offenders than of non-offenders.
- Men and women are at equal risk of recidivating once they have had a first violation documented. Any alcohol-impaired driving violation, not just convictions, is a marker for future recidivism.

Voas, Marques, Roth, 2008

- 60 percent reduction in DUI recidivism for first time offenders in New Mexico.

Voas et al, 2005

- Decrease in recidivism by over half in New Mexico

Bjerre, 2003

- Interlocks for first and multiple offenders found recidivism dropped to nearly zero in Sweden

Vezina, 2002

- 80 percent reduction in recidivism among first offenders and 66 percent among repeat offenders in Quebec.

Voas et al, 1999

95 percent reduction in recidivism among interlocked first offenders and 89 percent reduction among repeat offenders in Alberta.

Tippetts and Voas, 1998

- 77 percent decrease in recidivism among interlocked first offenders and 75 percent reduction among repeat offenders in West Virginia.

Elliott and Morse, 1992

- 65 percent decrease in recidivism for first-time offenders with a BAC of .20 or greater and repeat offenders in Cincinnati.

Ignition Interlocks Laws in the United States of America

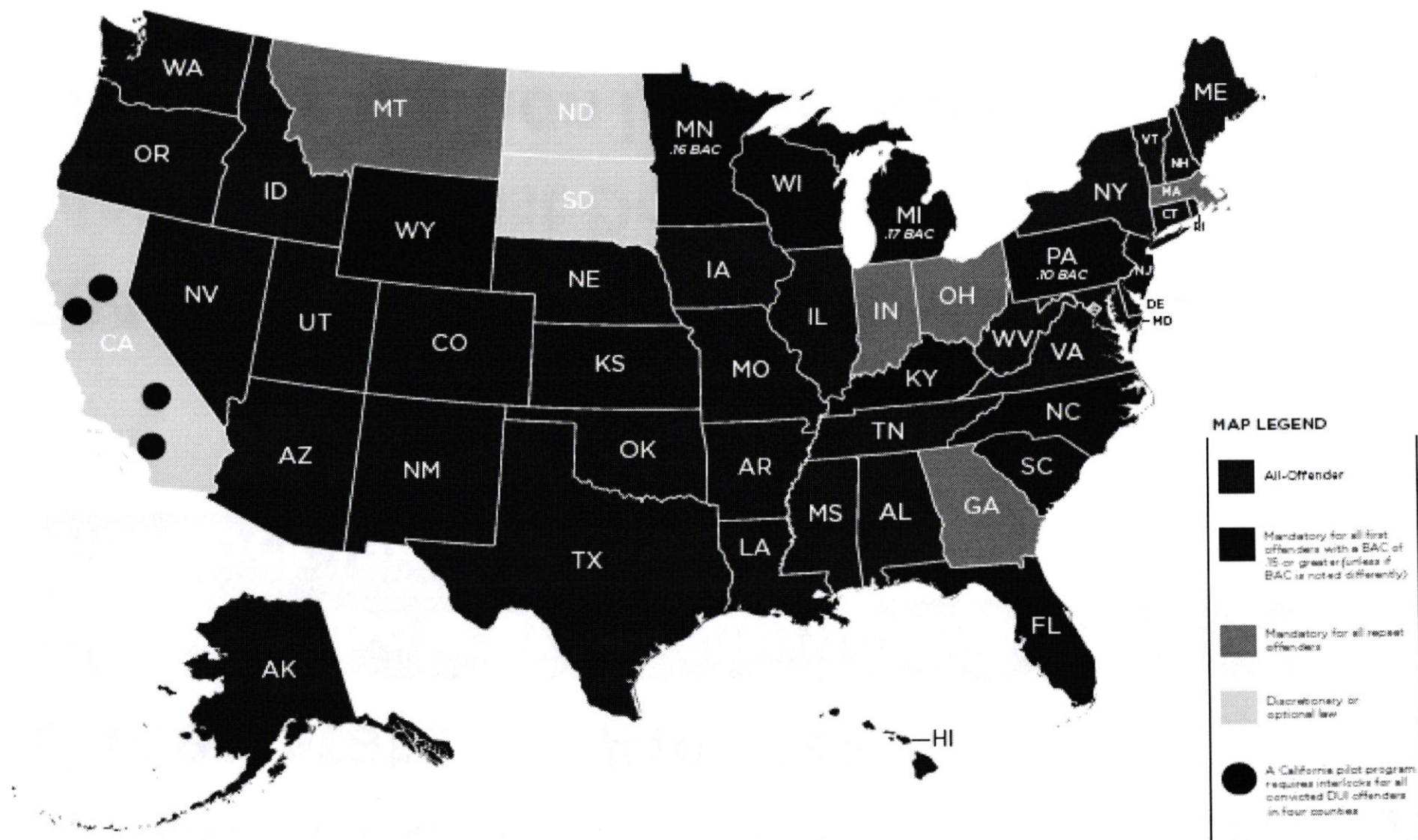


A look at how States implement ignition interlock laws

204 legislative recommendations by Mothers Against Drunk Driving to improve lifesaving ignition interlock laws

Revised June 18, 2018

Status of Ignition Interlock Laws



Revised April, 2018

MADD Ignition Interlock Law Recommendations

Enact an all-offender interlock law	32 states plus DC have an all-offender ignition interlock laws meaning that an arrested or convicted drunk driver must use an interlock in order to drive during a court or driver license agency license suspension.
Require interlock use for first-time refusals	31 states require interlock use for refusals meaning that the only way a first-time offender who refuses can drive during a license suspension is via an ignition interlock.
Compliance based removal of ignition interlock Use	28 states have compliance based removal laws meaning an interlock user must prove sobriety before exiting use of the device. These are important in changing behavior.
Day for day credit for early installation	11 states allow users the credit/time served for early installation of interlocks meaning a person can install an interlock as soon as legally possible after a drunk driving arrest. The time the person spends on the interlock is credited toward any DMV or Judicial interlock restriction. This aspect of an interlock is important as it incentivizes the use of interlocks for drunk drivers by replacing route or time restricted driving privileges.
Do plea agreements or reductions in the original drunk driving charge include the requirement of an interlock?	3 states require interlock use in plea agreements meaning that if an original drunk driving arrest is plead down to a lesser charge that person still must use an interlock. This helps hold drunk drivers accountable but also allows for an opportunity for a drunk driver to learn how drive sober and not become a repeat offender.
Indigent Program	31 states plus DC allow poor interlock users the opportunity to use a device at a reduce rate meaning Y. These are important because of Z.
Interlock user fees	Most states provide an additional funding mechanism for states to help implement the interlock law. These are important to ensure interlock programs can be implemented by the courts and drive license agency.

Why MADD supports all-offender ignition interlock laws?

Research and data prove that ignition interlocks are the best way to stop a drunk driver from continuing to drive drunk. These devices offer the only technology available that overrides the dangerous decision to drink and drive. For that reason, in 2006, Mothers Against Drunk Driving (MADD) launched its Campaign to Eliminate Drunk Driving. The Campaign focuses on encouraging more widespread use of high-visibility law enforcement efforts, as well as technology designed to stop offenders from driving drunk.

As part of the Campaign, MADD recommends the mandatory installation of ignition interlocks in every state for every convicted drunk driving offender. Interlocks must be installed for a minimum of six months. States should provide strong incentives for interlock use and compliance by drunk drivers.

The first state ignition interlock pilot program began in California in 1986. When MADD launched the Campaign in 2006, there were only 100,000 interlocks installed in the United States. As of August 2017, there were nearly 349,000 interlocks in use.

Today, 32 states plus Washington, DC require or highly incentivize the use of an ignition interlock for every convicted offender and California has an all offender law in four counties covering more than 13 million people.

Alabama

Effective July 2014, Alabama enacted an all-offender interlock law. As of December 2017, there were 853 interlocks installed in Alabama. Between December 2006 to December 2017, interlocks stopped 3,141 attempts to drive drunk in Alabama.

Why MADD calls the law all-offender? We call it all-offender as the only way a first-time convicted drunk driver can drive from day 1 to 90 of a license suspension is by using an interlock equipped vehicle or the person can not drive a vehicle at all.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	A person can go on an interlock for 90 days in lieu of a 90 day license suspension	<i>Allow for the use of interlock upon revocation or conviction. Additionally, either require the use of interlocks for six months for all first-time offenders or ban them from driving for six months</i>
First offense .15 BAC or more	45 days after conviction	1 to 2 years	
Second offense	45 days after conviction	2 to 4 years	
First refusal	45 days after conviction	2 years	

Compliance Based Removal?

Yes

Any violation extends the period on an interlock by six months from the date of violation. A violation includes: 1) A breath sample at or above a minimum BAC level of .02 recorded more than four times during a monthly reporting period, 2) Any tampering, circumvention, or bypassing of the device, or attempt thereof, 3) Failure to comply with the servicing or calibration requirements of the interlock every 30 days.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

An indigent offender pays one-half of the costs associated with installing and maintaining an interlock for a period of no more than two years at which time the offender pays the full remaining cost for any sentence left for interlock.

Interlock user fees (not including leasing costs of the device)

Yes

\$200 fee to be paid by the Court. This fee can be paid in installments.

Alaska

Alaska's all-offender ignition interlock law went into effect on January 1, 2009. As of December 2017, there were 1,437 interlocks installed in Alaska. Between December 2006 to December 2017, interlocks stopped 12,827 attempts to drive drunk in Alaska.

Why MADD calls the law all-offender? We call it all-offender as Judges must order ignition interlocks for six months for any first-time convicted drunk driver.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after conviction	6 months	<i>Eliminate the waiting period to install an interlock and allow for the use of an interlock upon revocation or conviction and for first-time offenders</i>
Second offense	90 days after conviction	12 months	
First refusal	30 days after conviction	6 months	
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			Yes

Must pay \$100 to the DMV for an interlock restricted license.

Arizona

Arizona's all-offender ignition interlock law went into effective in September 2007. As of December 2017, there were 16,303 interlocks installed in Arizona. Between December 2006 to December 2017, interlocks stopped 87,732 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as any first-time drunk driver must show proof of compliance with 6 to 12 months on an interlock before ever obtaining a regular unrestricted drivers license.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon Conviction	6 to 12 months
Second offense	Upon Conviction	12 months
First refusal	Upon Conviction	12 months

Compliance Based Removal?

Yes

If an offender is caught driving a non-interlock equipped vehicle, the duration on an interlock is extended by one year. If there is a report of tampering, circumvention or certain other violations, the time period on interlock is extended from six to twelve months. There is a DMV hearing process so an offender can contest interlock time extensions.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

No

Legislative Recommendation *Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

Interlock user fees (not including leasing costs of the device)

Yes

An applicant for an interlock restricted driver license shall pay an application fee in an amount to be determined by the DMV director.

Arkansas

Arkansas' all-offender ignition interlock law went into effect in April 2009. As of December 2017, there were 4,750 interlocks installed in Arkansas. Between December 2006 to December 2017, interlocks stopped 57,420 attempts to drive drunk in Arkansas.

Why MADD calls the law all-offender? We call it all-offender as any first-time drunk driver can only drive legally during the six months following a DUI license suspension if he or she installs an interlock.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Immediately following license restriction from the Department of Driver Control.	6 to 12 months
Second offense		2 years
First refusal		12 months
Compliance Based Removal?		No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>	
Day-for-Day Credit for early installation?		No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>	
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>	
Interlock user fees (not including leasing costs of the device)		Yes

Must pay \$150 to the DMV after interlock period to obtain non-interlock restricted driving privileges.

California

Effective January 1, 2019, interlocks are required for all repeat offenders and all first-time offenders are incentivized to use the device. Until then, interlocks are required for all convicted drunk drivers in a four county pilot program including: Tulare, Los Angeles, Sacramento and Alameda. Judges outside the Pilot have discretion to order interlocks. As of December 2017, there were 16,873 interlocks installed in California. Between December 2006 to December 2017, interlocks stopped 220,793 attempts to drive drunk.

Why MADD does not call the law all-offender? We do not classify the law as all-offender as first-time offenders can obtain a time/route restricted license 30 days after revocation.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	Offender's choice between using an interlock for 6 months or receiving a 1 year license suspension with the possibility of route-restricted non-interlock driving privileges after 30 days	<i>Eliminate the option to obtain a route/time restricted license in lieu of an interlock license during a license suspension. Additionally, allow for the use of interlocks for any refusal</i>
Second offense	Upon arrest	12 months	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal?

Yes

If at any time during the person's restriction period that the DMV receives notification from the installer of a recordable violation, the DMV will "pause" the restriction. The person will not be given credit toward the restriction of time during which the person does not have proof of an interlock installation on file with the DMV.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

The cost is determined by the interlock user family's income in comparison to the federal poverty guidelines. Interlock user will pay installers according to the following: if the offender's family income is ____ of the federal poverty level, the person pays ____ percent of the IID cost. A) 100 percent or below: Offender pays 10% of costs. B) 101 to 200 percent: Offender pays 25% of costs. C) 201 to 300 percent: Offender pays 50% of costs. D) 301 to 400 percent: Offender pays 90%

Interlock user fees (not including leasing costs of the device)?

Yes

Must pay \$45 to the DMV.

Colorado

Colorado's all-offender ignition interlock went into effect on January 1, 2009. As of December 2017, there were 23,801 interlocks installed in Colorado. Between December 2006 to December 2017, interlocks stopped 99,154 attempts to drive drunk in Colorado.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender to drive legally from the 31st day to the end of nine months of a license revocation he or she must install an interlock.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after revocation	At least 8 months	<i>Eliminate the waiting period to install an interlock and allow for the use of an interlock upon revocation for any drunk driver.</i>
Second offense	30 days after revocation	2 years	
First refusal	2 months after revocation	2 years	

Compliance Based Removal?

Yes

A person can exit the program if the interlock reports show that for four consecutive months, the person did not interrupt or prevent the normal operation of the motor vehicle due to an excessive BAC or did not detect that there has been tampering with the device, there have been no other reports of circumvention or tampering, and there are no grounds to extend the restriction.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

The DMV oversees the program funded from the fees paid for by first-time convicted drunk drivers. If a person qualifies for assistance and funds are available, DMV may pay for a portion of the interlock cost. A person must show their Federal Adjusted Gross Income (FAGI) on the State of Colorado tax file falls within a predetermined percentage of the current year Poverty Guidelines established by Health and Human Services.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$95 application fee to the DMV.

Connecticut

Connecticut's all-offender ignition interlock law went into effect in December 2012. As of December 2017, there were 6,002 interlocks installed in Connecticut. Between December 2006 to December 2017, interlocks stopped 57,420 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock for six months following a drunk driving conviction.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	45 days after revocation	6 months	<i>Eliminate the waiting period to install an interlock.</i>
Second offense		1 year	
First refusal		1 year	

Compliance Based Removal?

Yes

If an interlock user commits any of the following violations, 30 days per violation will be added on an interlock: 1) Failing to appear for interlock service within 5 days of a scheduled service date, 2) Second or subsequent occasion of failing a rolling retest, 3) Failing to submit to a rolling retest, 4) Tampering with or attempting to tamper with or circumventing or attempting to circumvent the interlock, 5) Operating a vehicle without an interlock, 6) Removing an interlock without authorization from the DMV, 7) Requesting or soliciting another person to blow into or otherwise activate the device for the purpose of providing the restricted driver with an operable motor vehicle. If a violation occurs, the DMV will notify the person via mail. All violations will be reported to the Court Support Services Division of the Judicial Branch (Probation Department).

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

Yes

Indigent Program?

No

Legislative Recommendation *Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

Interlock user fees (not including leasing costs of the device)

Yes

\$175 restoration fee plus a \$100 fee for an interlock installation application. Both of these are paid to the DMV.

Delaware

Delaware's all-offender ignition interlock law went into effect on January 1, 2015. As of December 2017, there were 662 interlocks installed in Delaware. Between December 2006 to December 2017, interlocks stopped 5,011 attempts to drive drunk in Delaware.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock for at least four months following a drunk driving conviction.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after revocation, but a person in diversion can go an interlock right away	4 to 23 months	<i>Eliminate the waiting period to install an interlock and allow for the use of an interlock upon revocation for any drunk driver.</i>
Second offense	60 days after revocation	22 months	
First refusal	45 days after revocation	23 months	

Compliance Based Removal?

Yes

The DOT extends the user's revocation period for the following actions: 1) BAC of .05 or above, 2) Running retest violation, 3) missed monitoring appointment, 4) startup violation or lock-out failure, 5) tampering with or bypassing the interlock system, 6) intentional circumvention of the interlock system or program requirements, 7) any other noncompliance of program requirements as deemed by the Secretary or the Secretary's designee. A 2 month extension for any combination of 3 of the above actions. A 4 month extension for any combination of 5 of the above actions. A 6 month extension for any combination of 8 of the above actions. An additional 1 month shall be required for each action listed greater than 8.

Day-for-Day Credit for early installation?

No

Legislative Recommendation

Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

Yes

Indigent Program?

Yes

The DMV shall establish a payment plan for users. The plan shall be administered by the service provider. The DMV shall further develop and implement an indigent plan for impoverished persons, which shall be available on a lottery basis. For every 20 devices installed at regular prices, at least 1 device shall be provided at approximately half price under this program.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$143.75 reinstatement fee to the DMV.

Washington, DC

Washington DC's all-offender ignition interlock law went into effect on November 29, 2016. As of December 2017, there were 14 interlocks installed in Washington, DC. Between December 2006 to December 2017, interlocks stopped 95 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock for at least six months following a revocation for a drunk driving conviction.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon Revocation	6 months	<i>Allow for the use of interlocks for any refusal</i>
Second offense	Upon Revocation	12 months	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			Yes
If a person violates the rules of the interlock program, he or she will either spend more time in the program, or you will have your driver license revoked, depending on the circumstances.			
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			Yes
The DMV shall determine whether a user is indigent. If indigent, the DMV shall pay all costs associated with that person's enrollment and participation in the Program. The term "indigent" means a person who receives an annual income, after taxes, of 150% or less of the federal poverty guidelines as updated periodically in the Federal Register by the United States Department of Health and Human Services pursuant to section 673(2) of the Community Services Block Grant Act, approved October 27, 1998 (112 Stat. 2729; 42 U.S.C. 59902(2)).			
Interlock user fees (not including leasing costs of the device)			Yes
Must pay \$50 application fee to the DMV for an ignition interlock permit.			

Florida

Effective October 2008, Judges must order interlocks for all repeat and all first-time convicted drunk drivers with a blood alcohol concentration (BAC) of .15 or greater. Judges have the option to order interlocks for first-time offenders with a BAC of .08 to .14. As of December 2017, there were 10,258 interlocks installed in Florida. Between December 2006 to December 2017, interlocks stopped 78,162 attempts to drive drunk in Florida.

Why MADD does not call the law all-offender? We do not classify the law as all-offender as first-time offenders can obtain a time/route restricted license 30 days after revocation and judges are not required to order interlocks for all first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after conviction	6 months if ordered by a Judge	<i>Require interlocks use during any court ordered or DMV license suspension. Eliminate waiting periods before a person goes on an interlock. Allow for the use of interlocks for any refusal.</i>
First offense .15 BAC or more	30 days after conviction	Mandatory 6 months	
Second offense	1 year after conviction	1 year	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal?

Yes

A user may have their time an interlock extended as a result of a third or subsequent violation by the DHSMV. Violations are sent to DUI programs. A violation includes: 1) Any two breath tests above the .05 BAC upon initial startup of the vehicle, 2) Any retest above a .05 BAC. 3) Any evidence of equipment tampering that is determined to be the result of alcohol use. 4) Missed rolling retest.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

No

Currently, if a court determines that the convicted person is unable to pay for the installation an interlock, the court may order that a portion of the fine paid by the person be allocated to defray the costs of installing the device.

Legislative Recommendation *Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

Interlock user fees (not including leasing costs of the device)

Yes

Must pay a one-time \$12 fee to the DMV. A user must also pay fees to attend a DUI school for appointments regarding any interlock violations

Georgia

Since May 1999, Judges are required to order an interlock for all repeat offenders for a period of 12 months. Effective July 2017, first-time offenders and first refusals have an option to go on an interlock in lieu of a restricted or suspended license. Users who choose the interlock experience reduced reinstatement fees, avoid the costs of a DUI school and Administrative License Suspension hearing fees. As of December 2017, there were 2,245 interlocks in use in Georgia. Between December 2006 to December 2017, interlocks stopped 30,996 attempts to drive drunk in Georgia.

Why MADD does not call the law all-offender? We do not classify the law as all-offender as first-time offenders can obtain a time/route restricted license for the duration of a four month license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	4 months	<i>Only allow interlock driving privileges and eliminate route/time restricted option for first-time offenders.</i>
Second offense	120 days after conviction	12 months	
First refusal	Upon arrest	12 months	
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			Yes

Ignition Interlock Driving Permit fee is \$25.00. Upon completion of interlock program, person must also pay a \$100 fee. Both of these fees go to DDS (DMV).

Hawaii

Hawaii's all-offender ignition interlock law went into effect on January 1, 2011. As of December 2017, there were 1,489 interlocks installed in Hawaii. Between December 2006 to December 2017, interlocks stopped 8,606 attempts to drive drunk in Hawaii.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock for one year in order to drive during a license revocation period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon arrest	1 year
Second offense	Upon arrest	18 months
First refusal	Upon arrest	2 years
Compliance Based Removal?		No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>	
Day-for-Day Credit for early installation?		No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>	
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		Yes
The director of transportation shall contract with the selected interlock vendor to provide partial financial relief for the installation and the periodic calibration charges to offenders who apply for such assistance and who are recipients, at the time of license revocation or suspension, of either food stamps under the Supplemental Nutrition Assistance Program, or free services under the Older Americans Act or Developmentally Disabled Assistance and Bill of Rights Act. The interlock vendor, not the state, pays for the partial costs of indigent users' interlocks.		
Interlock user fees (not including leasing costs of the device)		None

Idaho

Effective January 1, 2019, ignition interlocks are required for all convicted drunk drivers for a duration of at least one year. As of December 2017, there were 1,002 interlocks installed in Idaho. Between December 2006 to December 2017, interlocks stopped 6,229 attempts to drive drunk in Idaho.

Why MADD calls the law all-offender? Judges are required to an interlock for at least one year unless if a Judge finds mitigating circumstances not to order the device.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	45 days after conviction	12 months	<i>Eliminate waiting periods for interlock users</i>
Second offense	45 days after conviction	12 months	
First refusal	Upon revocation	12 months	
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			Yes, but administered county by county
Legislative Recommendation	<i>Create a statewide indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Illinois

Illinois' all-offender ignition interlock law went into effect on January 1, 2009. As of December 2017, there were 8,673 interlocks installed in Illinois. Between December 2006 to December 2017, interlocks stopped 107,616 attempts to drive drunk in Illinois.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock in order to drive during a license revocation period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon suspension of driving privileges.	6 to 12 months
Second offense		1 to 5 years
First refusal		1 year

Compliance Based Removal?

Yes

If a violation(s) is detected, the user will receive a letter from the Secretary of State's office requesting an explanation. A recordable violation is: 1) 10 or more unsuccessful attempts to start the vehicle within a 30-day period, 2) 5 or more unsuccessful attempts to start the vehicle within a 24-hour period, 3) BAC reading of .05 or higher, 4) Failing a running retest, or failing to take a running retest, 5) Failing to submit the interlock for a monitoring report in a timely manner, 6) Failure to use the interlock as required, 7) Attempts to tamper with or circumvent the interlock, 8) Obscuring the camera. If the user does not respond to the request or the explanation is insufficient, the suspension may be extended for an additional 3 months per violation and/or the interlock license may be cancelled. 3 extensions may result in the car being impounded for a period of at least 30 days. A 4th extension may result in the vehicle being seized.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

A user may be declared indigent by the Secretary if the user's total monthly income is 150% or less of the federal poverty guidelines per their federal or state tax return. For a person who has not filed a tax return for the most recently completed calendar year, indigency may be declared if: 1) The person is currently receiving Temporary Assistance to Needy Families (TANF) benefits, 2) The person is currently receiving Supplemental Nutrition Assistance Program (SNAP) benefits. The provider shall install an interlock on that user's vehicle without charge, and seek reimbursement from the Indigent Fund. Any monetary charges, like a lockout or reset fee, is paid by the indigent user.

Interlock user fees (not including leasing costs of the device)

Yes

\$30 a month fee plus a one-time \$8 permit fee payable up front to the Secretary of State upon application for an interlock restricted license

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Indiana

Since January 1, 2015, Judges have the option to order interlocks for first-time offenders and are required to order these device for all repeat offenders. As of December 2017, there were 1,482 interlocks installed in Indiana. Between December 2006 to December 2017, interlocks stopped 8,827 attempts to drive drunk in Indiana.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon Arrest	Six months	<i>Require interlocks use for all first-time drunk drivers as a condition of Specialized Driving Permit. Allow for the use of interlocks for any refusal</i>
Second offense	Unclear	Unclear	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal?

Yes

An interlock provider is required to notify the judge within two weeks if any of the following occur: 1) Any attempt to start the vehicle with a BAC of .04 or higher if the person does not register a test result indicating a BAC of .04 within 10 minutes of the initial test, 2) Absent a documented failure of the interlock, failure to take or pass any required test, 3) Failure of the person ordered to use an interlock to appear at the interlock vendor or provider for maintenance, repair, calibration, monitoring, inspection, or replacement of the interlock, (4) Any violations of restrictions imposed by the court.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

A user required to go an interlock is required to pay all fees associated with the device unless if the court determines that the person is indigent.

Interlock user fees (not including leasing costs of the device)

None

Iowa

Effective July 1, 2018, Iowa's all-offender ignition interlock law will go into effect. As of December 2017, there were 5,313 interlocks installed in Iowa. Between December 2006 to December 2017, interlocks stopped 115,517 attempts to drive drunk in Iowa.

Why MADD calls the law all-offender? In order for any to drive during a driver license agency administered drunk driving license suspension, the person must install an interlock for at least six months.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon Revocation	6 months
Second offense	Upon Revocation	12 months
First refusal	Upon Revocation	12 months
Compliance Based Removal?		No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>	
Day-for-Day Credit for early installation?		No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>	
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>	
Interlock user fees (not including leasing costs of the device)		Yes
\$20 application fee. \$200 reinstatement fee of regular license.		

Kansas

Effective July 1, 2011, Kansas implemented an all-offender ignition interlock law. As of December 2017, there were 9,985 interlocks installed in Kansas. Between December 2006 to December 2017, interlocks stopped 93,801 attempts to drive drunk in Kansas.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock in order to drive during a six month license revocation period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon revocation	Six months	<i>Eliminate any waiting period for a person before he or she installs an interlock.</i>
Second offense	45 days after revocation	1 year	
First refusal	1 year after revocation	1 to 2 years	
Compliance Based Removal?			Yes
DMV to determine compliance based removal requirements per 2017 legislation.			
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			Yes
Offender must qualify for food stamps in order to qualify for interlocks at a lesser cost. Interlock providers pay 2 percent of gross revenue into a fund.			
Interlock user fees (not including leasing costs of the device)			Yes
An application fee of \$100 and \$25.			

Kentucky

Effective September 25, 2015, ignition interlocks are required for all repeat, refusals, DUI child endangerment, and for first-time offenders with a blood alcohol concentration (BAC) of .15 or greater. Interlocks are discretionary for first time-offenders with a BAC of .08 to .14. As of December 2017, there were 834 interlocks installed in Kentucky. Between December 2006 to December 2017, interlocks stopped 3,785 attempts to drive drunk in Kentucky.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for all first-time offenders and interlocks are not mandatory as a condition of driving privileges for all first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .08 to .14 BAC	Pre-Trial arraignment if ordered by the courts	6 months	<i>Require interlocks use for all first-time drunk drivers for six months.</i>
First offense .15 BAC or more		6 months	
Second offense	Upon conviction	12 months	
First refusal	Upon conviction	6 months	

Compliance Based Removal?

No

Legislative Recommendation

Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

If the court determines that a defendant is indigent, the court may, based on a sliding scale established by the Supreme Court of Kentucky by rule, require the defendant to pay the costs imposed under this section in an amount that is less than the full amount of the costs associated with the lease, purchase, or installation of an ignition interlock device and associated servicing and monitoring fees. If a defendant pays to an interlock provider the amount ordered by the court under this subsection, the provider shall accept the amount as payment in full. The Government is not responsible for payment of any costs associated with an interlock.

Interlock user fees (not including leasing costs of the device)

Yes

A fee of no more than \$200 the Kentucky Transportation Cabinet.

Louisiana

The use of ignition interlocks are required for all convicted drunk drivers since July 2007. As of December 2017, there were 5,313 interlocks installed in Louisiana. Between December 2006 to December 2017, interlocks stopped 87,989 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock in order to drive as a condition of a hardship permit.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	12 months	<i>DMV or legislature must clarify that the only way a convicted drunk driver can drive as a condition of a hardship permit is if an interlock is installed.</i>
Second offense	Unclear	24 months	
First refusal	Upon conviction	1 to 2 years	
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Maine

Maine's all-offender ignition interlock law went into effect on December 1, 2013. As of December 2017, there were 544 interlocks installed in Maine. Between December 2006 to December 2017, interlocks stopped 13,274 attempts to drive drunk in Maine.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock in order to drive during a license suspension period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after revocation	5 months	<i>Eliminate any waiting period for a person before he or she installs an interlock. Allow for the use of interlocks for refusals.</i>
Second offense	9 months after revocation	2 years	
First refusal	Interlocks not available for refusals		
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			Yes
A person certified by the Secretary of State to install an interlock shall provide for a reduction of costs, inclusive of the total fees and charges assessed to the individual having the interlock installed, of at least 50% if the individual demonstrates, using the individual's most recent federal income tax return, that the individual has an adjusted gross household income of not more than 150% of the poverty guidelines for the relevant tax year as established by the United States Department of Health and Human Services for that individual's family size.			
Interlock user fees (not including leasing costs of the device)			Yes
An application fee of \$50 to the Secretary of State.			

Maryland

Maryland's all-offender interlock law, Noah's Law, went into effect October 1, 2016. As of December 2017, there were 10,603 interlocks installed in Maryland. Between December 2006 to December 2017, interlocks stopped 49,454 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender must use an interlock in order to drive during a court or DMV issued license revocation period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon Arrest	6 months
Second offense		1 year
First refusal		270 days

Compliance Based Removal?

Yes

Participant must prove to MVA that during the last three months on the program the person has not: 1) An attempt to start the vehicle with a BAC of .04 or more unless a subsequent test performed within 10 minutes registered a BAC lower than .04. 2) A failure to take or pass a random test with a BAC of .025 or lower unless a subsequent test performed within 10 minutes registered a BAC lower than .025. 3) A failure of the participant to appear at the approved service provider when required for maintenance, repair, calibration, monitoring, inspection or replacement of the device causing the device to cease to function.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

The MVA's interlock participation fee may be waived for participants experiencing financial hardship. Interlock providers are required to reduce the cost of an interlock if they are indigent. A person can qualify if the person meets the guidelines for Federal Supplemental Nutrition Assistance Program or the Maryland Food Supplement Program.

Interlock user fees (not including leasing costs of the device)

Yes

\$47 to DMV to participate in the program.

Massachusetts

Since January 1, 2006, Massachusetts requires the use of interlocks for repeat offenders. As of December 2017, there were 5,907 interlocks installed in Massachusetts. Between December 2006 to December 2017, interlocks stopped 35,507 attempts to drive drunk in Massachusetts.

Why MADD does not call the law all-offender? Interlocks are not available for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Interlocks not available for first-time offenders		<i>Require interlocks for all convicted drunk drivers. Eliminate any waiting period for a person before he or she installs an interlock. Allow for the use of interlocks for refusals.</i>
Second offense	1 year after conviction	2 years	
First refusal	Interlocks not available for refusals		
Compliance Based Removal?			Yes
Upon completion of the required period, the interlock will not be authorized for removal if the person had any interlock infractions or violations during the past six consecutive months.			
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Michigan

Since October 2010, Michigan requires the use of ignition interlocks for all repeat and first-time offenders with a blood alcohol concentration (BAC) of .17 or greater. As of December 2017, there were 10,682 interlocks installed in Michigan. Between December 2006 to December 2017, interlocks stopped 26,277 attempts to drive drunk in Michigan.

Why MADD does not call the law all-offender? Interlocks are not required for all first-time offenders

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .17 BAC or greater	45 days after conviction	1 year	<i>Require interlocks for all convicted drunk drivers. Eliminate any waiting period for a person before he or she installs an interlock. Allow for the use of interlocks for refusals.</i>
Second offense	45 days after conviction	1 year	
First refusal	Interlocks not available for refusals		

Compliance Based Removal?

Yes

If the interlock records 3 start-up test failures in a monitoring period, or 1 rolling retest failure, or if it detects tampering, the vehicle must be taken to a service center immediately. Test failures, tampering, or other interlock related violations will result in an extension of the time before the driver can ask for another driver license appeal hearing, or may require that the original license revocation/denial be reinstated.

Day-for-Day Credit for early installation?

No

Legislative Recommendation

Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

Low income persons to pay a maximum of \$2.00 per day. To qualify for this reduced fee, a person's gross income for the previous tax year must be less than 150% of the current federal poverty guidelines. A copy of the Michigan state income tax form filed for the previous year will be required to verify gross income. A person contacts the interlock vendor for more details to determine if he or she qualifies for the reduced fee.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$125 to the Secretary of State upon application for full license reinstatement.

Minnesota

Since July 1, 2011, Minnesota requires the use of interlocks for all repeat and first-time convicted drunk drivers with a BAC of .16 or greater. First offenders with a BAC of .08 to .15 are eligible to go an interlock for a 90 day license revocation. However, 80 percent of first offenders plead down their DWI to a 30 day license revocation and avoid an interlock. As of December 2017, there were 12,799 interlocks installed. Between December 2006 to December 2017, interlocks stopped 65,871 attempts to drive drunk in Minnesota.

Why MADD does not call the law all-offender? Interlocks are not required for all first-time offenders in order to drive.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .08 to .15 BAC	Upon License Revocation	90 days	<i>Require interlocks for all convicted drunk drivers. Require the use of interlocks for refusals.</i>
First offense .17 BAC or greater		1 year	
Second offense		1 year	
First refusal		1 year IID or 1 year restricted license	

Compliance Based Removal?

Yes

Time may be extended for violations; last 90 days must have no failed tests recorded on device. An additional 180 days can be added to the revocation period for the following violations: 1) tampering, circumventing or bypassing the device, 2) Operating a vehicle not equipped with an interlock, 3) violation of an interlock license, 4) For canceled drivers, the failure to provide no fewer than 30 initial breath tests each month, 5) Failure to bring the vehicle in for a service appointment every 30 days (or 60 days if the device is wireless), 6) Three failures to take a rolling retest within a seven day period. An additional 90 days can be added to the license revocation for an alcohol reading greater than .02 BAC.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

To apply, the participant must complete a Form available on the Department's website. A participant may only apply for once per tax year and must reapply yearly. The reduced fee is effective on the date of approval. The reduced fee applies to only one vehicle.

Interlock user fees (not including leasing costs of the device)

No

Any DWI offender must pay a \$680 reinstatement fee to the DMV that is not exclusive to ignition interlock use.

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Mississippi

Mississippi's all-offender ignition interlock law goes into effect October 2014. Judges have the option to order interlocks as part of diversion agreements for 120 days. As of December 2017, there were 977 interlocks installed in Mississippi. Between December 2006 to December 2017, interlocks stopped 5,509 attempts to drive drunk in Mississippi.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender can drive during a diversion agreement is via an ignition interlock or the person can not drive at all.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	120 days	<i>Require interlock use for any non-adjudication (diversion agreement and allow for the use of interlock upon arrest for repeat/refusals.</i>
Second offense	Unclear	1 year	
First refusal	Unclear	90 to 180 days	

Compliance Based Removal?

Yes

Interlocks users must prove to Department of Public Safety (DPS) that none of the following incidences occurred within the last 30 days: 1) an attempt to start the vehicle with a BAC of .04 or more, 2) failure to take or pass any required retest, 3) Failure of the person to appear at the interlock vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

As part of any non-adjudication agreement, allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

The Court determines indigency based of enrollment in any of the following programs: 1) Temporary Assistance for Needy Families (TANF), 2) Medicaid assistance, 3) The Supplemental Nutritional Assistance Program (SNAP), 4) Supplemental security income (SSI), 5) Participation in a federal food distribution program, 6) Federal housing assistance, 7) unemployment compensation. No more than 10% of the money in the Interlock Device Fund in any fiscal year shall be expended by the department for the purpose of administering the fund.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay a \$50 interlock license fee to DPS and \$100 reinstatement fee after interlock period is over to DPS. An offender who enters into a diversion agreement must also pay a \$250 fee. If the person chooses not to go an interlock, he or she must pay a \$175 reinstatement fee at the end of license suspension period.

Missouri

Missouri's all-offender ignition interlock law has been in effect since March 2014. As of December 2017, there were 8,303 interlocks installed in Missouri. Between December 2006 to December 2017, interlocks stopped 94,609 attempts to drive drunk in Missouri.

Why MADD calls the law all-offender? We call it all-offender as in order for a first-time offender can drive during a 90 day administrative license suspension period is via an ignition interlock.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon revocation by DMV	90 days	Allow for interlock use for any refusal.
Second offense	Unclear	Unclear	
First refusal	Interlocks not available for refusals		

Compliance Based Removal?

Yes

A violation is defined as any incident of device tampering, circumvention, or a BAC of .025 or greater. A person should not remove the device until the installer has certified to the Department of Revenue that a person is violation free. A person must request this certification from the interlock installer. Failure to obtain certification will result in a 30-day extension of interlock restricted driving privilege or an additional 30-day suspension without any driving privileges.

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *As part of any non-adjudication agreement, allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

Legislative Recommendation *Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

Interlock user fees (not including leasing costs of the device)

No

\$20 reinstatement fee to the DOR (DMV).

Montana

Since May 2009, Judges have the option to order interlocks for first-time offenders and must order these devices for all repeat offenders. As of December 2017, there were 375 interlocks installed in Montana. Between December 2006 to December 2017, interlocks stopped 5,509 attempts to drive drunk in Montana.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	6 months	<i>Require interlocks for all first-time drunk drivers. Eliminate waiting time for repeat offenders to install an interlock. Allow for the use of interlocks for any refusal</i>
Second offense	45 days after conviction	1 year	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Nebraska

Nebraska's all-offender ignition interlock law has been in effect since January 1, 2009. As of December 2017, there were 4,213 interlocks installed in Nebraska. Between December 2006 to December 2017, interlocks stopped 30,500 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	At least 6 months	<i>Eliminate any waiting periods for repeat/refusals before installation of an interlock</i>
Second offense	45 days after revocation	At least 1 year	
First refusal	90 days after revocation	1 year	

Compliance Based Removal?

No

However, any person who tampers with or circumvents an interlock installed or who operates a motor vehicle not equipped with a interlock is in violation of the purposes for operation indicated on the interlock restricted license shall, in addition to any possible criminal charges, have his or her revocation period and interlock restricted license extended for six months beyond the end of the original revocation period.

Legislative Recommendation *Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).*

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

If the DMV has determined the person to be indigent and incapable of paying for the cost of installation, removal, or maintenance of the interlock, such costs shall be paid out of the DMV Ignition Interlock Fund if such funds are available. A person is determined indigent if: 1) meets 150 percent or less of the federal poverty guidelines. DMV may also consider income, expenses, and assets as reported on the application. Applicants shall provide documentation of current income with a pay stub, most recent W2, most recent tax return, statement from employer with the application.

Interlock user fees (not including leasing costs of the device)

Yes

A fee of 47.50 paid to the Examiner of County Treasurer.

Nevada

In June 2017, Nevada passed a law requiring interlocks for first-time offenders with a blood alcohol concentration (BAC) of .08 or greater for 90 days after an arrest in order to drive. Upon conviction, a judge must order an ignition interlock for at least six months unless the judge determines this would not serve the interests of justice. As of December 2017, there were 1,185 interlocks installed in Nevada. Between December 2006 to December 2017, interlocks stopped 7,261 attempts to drive drunk in Nevada.

Why MADD calls the law all-offender? We call it all-offender as the only way a first-time offender can drive during an administrative license revocation is via an interlock. Judges are required to an ignition interlock for any drunk driver, except if it would not serve the interests of justice.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon revocation	At least 90 days
Second offense	Unclear	At least 1 year
First refusal	Upon revocation	1 year
Compliance Based Removal?		Yes
The court can extend the order of a person required to install an ignition interlock device if the court receives a report from the Department of Motor Vehicles or the manufacturer of the device that the person has committed certain violations.		
Day-for-Day Credit for early installation?		Yes
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		Yes
Interlock companies must provide discounts and waive certain costs for persons whose income is at or below certain federal poverty levels.		
Interlock user fees (not including leasing costs of the device)		None

New Hampshire

New Hampshire's all-offender ignition interlock law went into effect January 1, 2016. As of December 2017, there were 1,205 interlocks installed in New Hampshire. Between December 2006 to December 2017, interlocks stopped 10,459 attempts to drive drunk in New Hampshire.

Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	45 days after conviction	1 year	Eliminate any waiting periods before installation of an interlock. Allow for interlock use for refusals.
Second offense	Unclear	Unclear	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal? Yes

If it is found that a person required to drive a motor vehicle equipped with an interlock has failed without reasonable cause including, but not limited to, illness, hospitalization, or incarceration, to comply with any requirement for the maintenance or calibration of the device, or shows a consistent pattern of failures to pass the breath test provided by the device, the commissioner after a hearing may order a further license suspension or revocation for a period of not more than 12 months. The period of suspension or revocation under this section shall be added to any previously ordered suspension or revocation.

Day-for-Day Credit for early installation? No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock? No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program? Yes

If an offender is determined to be indigent or unable to afford the interlock, under current law the interlock company gives a 25 percent discount.

Interlock user fees (not including leasing costs of the device) Yes

Must pay \$50 fee to the DMV for an interlock restricted license.

New Jersey

Since January 2010, Judges are required to order ignition interlocks for all refusals, repeat and first-time offenders with a BAC of .15 or greater. Judges have the option to order interlocks for first-time offenders with a BAC of .08 to .14. As of December 2017, there were 3,019 interlocks installed in New Jersey. Between December 2006 to December 2017, interlocks stopped 73,740 attempts to drive drunk.

Why MADD does not call the law all-offender? Judges are not required to order ignition interlocks for first-time offenders with a BAC of .08 to .14.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?	Duration on ignition interlock		Legislative Recommendation
First offense .08 to .099 BAC	3 months after conviction	6 to 12 months	<i>Require interlocks for all first-time convicted drunk drivers. Eliminate any waiting periods before installation of an interlock.</i>
First offense .10 to .14 BAC	7 to 12 months after conviction	6 to 12 months	
First offense .15 BAC plus	7 to 12 months after conviction*	6 to 12 months	
Second offense	2 years after conviction*	1 to 3 years	
First refusal	7 to 12 months after conviction*	6 to 12 months	

*Interlock is required to be installed during suspension but the user cannot legally drive until the suspension period concludes.

Compliance Based Removal?	No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>
Day-for-Day Credit for early installation?	No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?	No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>
Indigent Program?	Yes

If a person's family income does not exceed 100% of the federal poverty level, the monthly leasing fee shall be 50% of the fee established by regulation for persons who do not qualify for the reduced fee. If that person's family income does not exceed 149% of the federal poverty level, the monthly leasing fee shall be 75% of the fee established by regulation for persons who do not qualify for the reduced fee. Offenders who qualify for a reduced fee shall not be required to pay the installation fee, the cost for monitoring of the device, or any fees for calibration or removal of the device.

Interlock user fees (not including leasing costs of the device)	None
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New Mexico

New Mexico's all-offender interlock law went into effective on June 17, 2005. As of December 2017, there were 11,717 interlocks installed in New Mexico. Between December 2006 to December 2017, interlocks stopped 71,110 attempts to drive drunk.

Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders and offenders must use an interlock in order to drive during a license suspension period.

Ignition Interlock Law Overview and MADD Legislative Recommendations

Ignition Interlock Law Overview and MADD Legislative Recommendation			
How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	1 year	Allow for interlock use for refusals.
Second offense	Unclear	2 years	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal?

Yes

In order to obtain an unrestricted driver's license, the person must show: 1) a minimum of six months of driving with an ignition interlock license with no attempts to circumvent, remove or tamper with the ignition interlock device. 2) evidence that the ignition interlock device has not recorded two vehicle lockouts. 3) evidence of verified active usage as that phrase is defined by the bureau (DMV).

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

Indigency determined by the Traffic Safety Bureau based on proof of enrollment in one or more of the following types of public assistance: 1) TANF: Temporary Assistance for Needy Families, 2) GA: General Assistance -SNAP: Supplemental Nutritional Assistance Program, 3)-SSI: Supplemental Security Income, 4) FDIPIR: Food Distribution Program on Indian Reservations. The NMDOT Traffic Safety Bureau shall pay for one vehicle per offender, up to: \$50 for the cost of installation; \$30 monthly for verified active usage of the interlock device, and \$50 for the cost of removal. The person is responsible for all other charges associated with the installation, servicing and removal of the interlock.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$113 to the DMV for an interlock restricted license.

New York

New York's all-offender ignition interlock law went into effect August 15, 2010. As of December 2017, there were 8,775 interlocks installed in New York. Between December 2006 to December 2017, interlocks stopped 91,179 attempts to drive drunk in New York.

Why MADD calls the law all-offender? We call it all-offender as judges must order the use of interlocks for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon arrest	1 year	Allow for interlock use for refusals.
Second offense	Upon arrest	1 year	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			Yes
Probation officers and monitoring authorities have the capability of taking the offender back to court and requesting an extension based on their behavior while on an interlock			
Legislative Recommendation	Add a compliance based removal component to the law through the Department of Motor Vehicles (a user must prove a certain period of sober driving before exiting the interlock program).		
Day-for-Day Credit for early installation?			Yes
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.		
Indigent Program?			Yes
Any person who claims financial inability to pay for the device shall submit in advance of sentencing three copies of his or her financial disclosure report, to the sentencing court which shall distribute copies to the district attorney and defense counsel. Interlock companies shall take into consideration and plan a 10% waiver of the fees by sentencing courts due to operator unaffordability.			
Interlock user fees (not including leasing costs of the device)			None

North Carolina

Since December 2007, ignition interlocks are required for all repeat and first-time offenders with a blood alcohol concentration of .15 or greater for a period of at least one year. As of December 2017, there were 11,509 interlocks installed in North Carolina. Between December 2006 to December 2017, interlocks stopped 19,400 attempts to drive drunk in North Carolina.

Why MADD does not call the law all-offender? We do not call the law all-offender as judges are not required to order the device for first-time offenders with a BAC of .08 to .14.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .15 BAC or more	45 days after conviction	1 year	<i>Require interlocks for all first-time convicted drunk drivers. Eliminate any waiting period before interlock installation.</i>
Second offense			
First refusal			
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No.
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

North Dakota

Judges have the discretion to order ignition interlocks for first-time convicted drunk drivers or DMV can issue an interlock as part of a restricted license, but no Judges order an ignition interlock. As of December 2017, there were three interlocks installed in North Dakota. Between December 2006 to December 2017, interlocks stopped 314 attempts to drive drunk in North Dakota.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after revocation	Unclear	<i>Require interlocks for all first-time drunk drivers. Eliminate waiting time for repeat offenders to install an interlock. Allow for the use of interlocks for any refusal</i>
Second offense	Unclear	Unclear	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Ohio

Ohio requires judges to order interlocks for repeat offenders and allows judges the option to order interlocks for first-time offenders. As of December 2017, there were 2,969 interlocks installed in Ohio. Between December 2006 to December 2017, interlocks stopped 24,161 attempts to drive drunk in Ohio.

Why MADD does not call the law all-offender? Judges are not required to order the use of interlocks for any first-time offender

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	15 days after conviction	6 to 18 months	<i>Require interlocks for all first-time convicted drunk drivers. Allow for interlock use for refusals. Eliminate any IID waiting period.</i>
Second offense	45 days after conviction	1 to 4 years	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal?

Yes

Any interlock violation committed by a person during the last 60 days of the suspension extends the interlock use and suspension for another 60 days from the violation. A person has a right to appeal any interlock extension. Compliance-based removal of an interlock is important in making sure drunk driving behavior changes. An interlock violation is defined as: 1) Tampering or circumventing the device and 2) Registering a reading of .025 BAC or greater while on the device.

Day-for-Day Credit for early installation?

No

Legislative Recommendation

Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

\$50 of the reinstatement fee paid by a drunk driver is deposited into the special projects fund of the court in which the offender was convicted to be used exclusively to cover the cost of interlocks for indigent offenders who are required by a judge to use either of these devices.

Interlock user fees (not including leasing costs of the device)

None

Oklahoma

Since November 2011, Judges must order the use of ignition interlocks for all repeat and first-time convicted drunk drivers with a BAC of .15 or greater. First offenders with a BAC of .08 to .14 can choose to drive during a license suspension period. As of December 2017, there were 9,875 interlocks installed in Oklahoma. Between December 2006 to December 2017, interlocks stopped 65,848 attempts to drive drunk in Oklahoma.

Why MADD calls the law all-offender? In order for any first-time offender with a BAC of .08 to .14 to be able to drive during a 180 day license suspension following a DUI, he or she must install an interlock or not drive at all.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .08 to .14 BAC	30 days after arrest	6 months	<i>Eliminate waiting time for interlock installation. Allow for the use of interlocks for any refusal</i>
First offense .15 BAC plus	30 days after arrest	18 months	
Second offense	30 days after arrest	4 years	
First refusal	Upon revocation	18 months	
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
However, the Department may establish a payment schedule for the reasonable cost of leasing or buying and monitoring and maintaining the interlock.			
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			Yes

Must pay \$50 to the DMV for a restricted license.

Oregon

Oregon's all-offender ignition interlock law went into effect on January 1, 2008. As of December 2017, there were 5,937 interlocks installed in Oregon. Between December 2006 to December 2017, interlocks stopped 44,483 attempts to drive drunk in Oregon.

Why MADD does call the law all-offender? Judges are required to order an interlock for a period of one year for first-time convicted drunk drivers and for six months for any diversion agreement.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon agreeing to a diversion agreement	6 months	<i>Eliminate waiting period for interlock installation. Allow for interlock use for refusals.</i>
Second offense	1 year after conviction	1 year	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			Yes

If in the last 90 days, there can not be any of the following: (A) An attempt to start a vehicle while the person has a BAC of .04 percent or higher unless a subsequent test performed within 10 minutes registers a BAC lower than .04 percent and a digital image confirms that the same person provided both samples; (B) Failure to pass a random retest due to a BAC of 0.02 percent or higher unless a subsequent test performed within 10 minutes registers a BAC lower than .02 and a digital image confirms that the same person provided both samples; or (c) For any person required to use an ignition interlock device, a failure to take a random retest.

Day-for-Day Credit for early installation?	No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?	Yes
Indigent Program?	Yes

A person must meet the standard for indigence, which is the possession of a current Food Stamp Identification Card issued by the Oregon Department of Human Services. To request a fee waiver, a person must provide proof of indigence to a vendor who is contracted with the Addictions and Mental Health Division to obtain reimbursement of the device fees.

Interlock user fees (not including leasing costs of the device)	Yes
\$50 hardship permit fee and \$75 reinstatement fee.	

Pennsylvania

Effective August 25, 2017, Pennsylvania requires the use of ignition interlocks for refusals, repeat and first-time offenders with a BAC of .10 or greater. As of December 2017, there were 8,135 interlocks installed in Pennsylvania. Between December 2006 to December 2017, interlocks stopped 70,748 attempts to drive drunk in Pennsylvania.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders with a BAC of .08 to .099.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .10 BAC or more	Upon arrest	1 year	<i>Require interlocks for all first-time convicted drunk drivers. Eliminate interlock waiting periods.</i>
Second offense	6 months after revocation		
First refusal			
Compliance Based Removal?			Yes

A person must remain on an interlock until Pennsylvania DOT receives a declaration from the person's interlock vendor, in a form provided or approved by the department, certifying that the following incidents have not occurred in the two prior consecutive months: 1) An attempt to start the vehicle with a BAC of .08 or more, not followed within five minutes by a subsequent attempt with a breath alcohol concentration lower than .08., 2) Failure to take or pass any required retest. 3) Failure of the person to appear at the ignition interlock system vendor when required for maintenance, repair, calibration, monitoring, inspection or replacement of the device such that the ignition interlock system no longer functions.

Day-for-Day Credit for early installation?		Yes
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		No
Individuals whose income is below 200% of the poverty level, may apply for a Hardship Exemption. The hardship exemption allows the individual to have it installed in only one vehicle.		
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>	
Interlock user fees (not including leasing costs of the device)		Yes

\$65 fee to Penn DOT for applying for an ignition interlock license. Offenders must pay a \$27.50 reinstatement fee.

Rhode Island

Effective June 24, 2016, Rhode Island's all-offender interlock law went into effect as Judges must order interlocks for first-time offenders who apply for a hardship license following a DUI conviction. Judges must order an interlock for all repeat and first-time offenders with a BAC of .15 or greater after the hardship license concludes. As of December 2017, there were 812 interlocks installed in Rhode Island. Between December 2006 to December 2017, interlocks stopped 3,510 attempts to drive drunk in Rhode Island.

Why MADD does calls the law all-offender? Judges must order interlocks for first-time offenders with a BAC of .08 or greater who apply for a hardship license following a DUI conviction.

Ignition Interlock Law Overview and MADD Legislative Recommendations

Ignition Interlock Law Overview and MADD Legislative Recommendation			
How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	30 days to one year	Require interlocks for at least six months for first-time offenders.
Second offense	45 days after conviction	6 months to 2 years	
First refusal	Upon conviction		
Compliance Based Removal?			Yes

Interlock companies submit quarterly reports concerning proof of installation and proper use of interlocks to the DMV. Prior to the reinstatement of an unrestricted license, the division of motor vehicles shall review the person's driving record and compliance with the ignition interlock order to ensure that the person has fulfilled the specific requirements as set forth by the sentencing judge or magistrate. Upon verification conditions have been satisfied, a license shall be reinstated.

Legislative Recommendation *Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).*

Day-for-Day Credit for early installation? No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock? No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program? No

Legislative Recommendation *Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.*

Interlock user fees (not including leasing costs of the device) Yes

Must pay \$100 administrative fee to the DMV upon installation.

South Carolina

Effective October 1, 2014, repeat and first-time offenders with a BAC of .15 or greater are required to install an interlock. As of December 2017, there were 1,583 interlocks installed. Between December 2006 to December 2017, interlocks stopped 6,961 attempts to drive drunk in South Carolina.

Why MADD does not call the law all-offender? Judges are not required to order interlocks for all first-time offenders and an interlock is not required as a condition of a restricted license during a license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .08 to .14 BAC	Upon revocation	6 months	<i>Require interlocks for all convicted drunk drivers. Eliminate any Interlock waiting time-period.</i>
1st offense .15 BAC plus	30 days after revocation	6 months	
Second offense	Unclear	2 years	
First refusal	Unclear	6 months	

Compliance Based Removal?

Yes

Depending on the violation, an offender's time on an interlock can be extended two to six months.

Day-for-Day Credit for early installation?

No

Legislative Recommendation

Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

Interlock approved vendors must collect and remit monthly to the Department a \$30.00 fee from each driver required to have an interlock in their vehicle. If the person is indigent and cannot afford the cost of the device, the person may submit an affidavit of indigency to the Department of Probation, Parole and Pardon Services (PPP) for a determination of indigency as it pertains to the cost of the device. Funds remitted to the PPP for the Ignition Interlock Device Fund also may be used by PPP to administer the program. PPP determines indigency based of the federal poverty level and other factors concerning the person's financial conditions including, but not limited to, income, debts, assets, number of dependents claimed for tax purposes, living expenses, and family situation.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$100 to the DMV for an interlock restricted license. Must pay \$30 fee per month to PPP which is used to pay for the use of interlocks for indigent offenders and to administer the program.

South Dakota

Effective July 2011, repeat and first-time offenders with a BAC of .17 or greater have the option to enter the state's 24/7 program and have the choice to use an interlock. As of December 2017, there were 67 interlocks installed in South Dakota. Between December 2006 to December 2017, interlocks stopped 1,647 attempts to drive drunk in South Dakota.

Why MADD does not call the law all-offender? Judges are not required to order an interlock for first-time offenders or as a condition of driving privileges for participation in the 24/7 program.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .17 BAC or more	As soon as bond is granted or participation into the 24/7 program	Unclear	<i>Require interlocks for all first-time drunk drivers. Eliminate waiting time for repeat offenders to install an interlock. Allow for the use of interlocks for any refusal</i>
Second offense		Unclear	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			No
Legislative Recommendation	<i>Add a compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			Yes

The participant shall pay an enrollment fee in the amount of not more than fifty dollars at the time of enrollment and monitoring fees in the amount of not more than twenty dollars at intervals to be set by the attorney general.

Tennessee

Tennessee's all-offender interlock law went into effect on July 1, 2013. First-time offenders who refuse can choose to go an interlock instead of being restricted to driving in certain locations at specific times. As of December 2017, there were 6,707 interlocks installed in Tennessee. Between December 2006 to December 2017, interlocks stopped 52,248 attempts to drive drunk in Tennessee.

Why MADD does calls the law all-offender? Judges must order interlocks for first-time offenders with a BAC of .08 or greater as condition of any driving privileges during a license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon conviction	6 months	<i>Require interlocks for any driving privileges during after a refusal.</i>
Second offense	Upon conviction	Unclear	
First refusal	Unclear	Unclear	
Compliance Based Removal?			Yes

During the final 120 days on an interlock, a person can not violate any of the following conditions: 1) Tampering with, circumventing, or attempting to start the vehicle with a BAC in excess of a .02 BAC; provided, however, that a person shall not be in violation for attempting to start the vehicle, if a subsequent retest within 10 minutes shows a BAC of .02 or less and review of the digital images associated with each test confirms that the same person performed both tests; 2) Failing to take or skipping a rolling retest; provided, however, that a person shall not be in violation for failing to take or skipping a rolling retest if a review of the digital images associated with the test confirms that the vehicle was not occupied by the driver at the time of the retest; 3) Failing a rolling test with a BAC in excess of .02 BAC; provided, however, that a person shall not be in violation of this subdivision for failing a rolling test, if a subsequent retest within 10 minutes shows a BAC of .02 or less and review of the digital images associated with each test confirms that the same person performed both tests; 4) Removing or causing to be removed the interlock at any time during the 365 consecutive day period; and 5) Failing to appear at the interlock provider when required for calibration, monitoring, or inspection of the device.

Day-for-Day Credit for early installation?		No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>	
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>	
Interlock user fees (not including leasing costs of the device)		Yes
Must pay \$100 administrative fee to the DMV upon installation.		

Texas

Effective September 2015, any arrested drunk driver can go an interlock occupational license following arrest or choose not to drive. Since September 2005, Judges are required to order ignition interlocks for all repeat offenders for first-time offenders with a BAC of .15 or greater as a condition of probation. As of August 2017, there were 53,639 interlocks installed in Texas. Between December 2006 to December 2017, interlocks stopped 274,479 attempts to drive drunk in Texas.

Why MADD calls the law all-offender? Any arrested drunk driver can go an interlock occupational license during a license suspension following arrest or choose not to drive.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense .08 to .14 BAC	Upon revocation	90 days to 1 year	Allow for the use of interlocks for any refusal
First offense .15 BAC plus	Upon revocation	1 year	
Second offense	Unclear	1 year	
First refusal	Interlocks not available for first-time refusals		
Compliance Based Removal?			No
Legislative Recommendation	Add a statewide compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.		
Indigent Program?			No
However, the Department may establish a payment schedule for the reasonable cost of leasing or buying and monitoring and maintaining the interlock.			
Legislative Recommendation	Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.		
Interlock user fees (not including leasing costs of the device)			Yes

Must pay \$10 to the DMV for an interlock restricted license.

Utah

Utah's all-offender ignition interlock went into effect in July 2009. As of December 2017, there were 1,972 interlocks installed in Utah. Between December 2006 to December 2017, interlocks stopped 16,485 attempts to drive drunk in Utah.

Why MADD does call the law all-offender? Judges must order interlocks for first-time offenders with a BAC of .08 or greater.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	30 days after conviction	18 months	<i>Eliminate waiting time for offenders to install an interlock.</i>
Second offense	Unclear	Unclear	
First refusal	Unclear	18 months	
Compliance Based Removal?			No
However, offenders caught driving a non-interlock equipped vehicle will have their license suspended one year and their interlock restriction extended three years.			
Legislative Recommendation	<i>Add a statewide compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).</i>		
Day-for-Day Credit for early installation?			No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>		
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?			No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>		
Indigent Program?			No
Legislative Recommendation	<i>Create an indigent program so low-income interlock users have access to these devices. This program should be paid for by interlock vendors or non-indigent interlock users.</i>		
Interlock user fees (not including leasing costs of the device)			None

Vermont

Vermont's all-offender interlock law went into effect July 1, 2016. As of December 2017, there were 1,136 interlocks installed in Vermont. Between December 2006 to December 2017, interlocks stopped 7,445 attempts to drive drunk in Vermont.

Why MADD does call the law all-offender? All drunk drivers must use an interlock in order to drive during an driver license agency imposed license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon Revocation	6 months	<i>Eliminate waiting time for refusal offenders to install an interlock.</i>
Second offense	Upon Revocation	18 months	
First refusal	30 days after revocation	9 months	
Compliance Based Removal?			Yes

If a person makes 3 attempts to start a vehicle with a BAC of .04 or above, the interlock requirements will be extended for a period of 3 months. Any subsequent 3 attempts to start a vehicle with a BAC of .04 or above, will result in additional 3 month extensions which will run consecutively. If a person fails one random retest due to a BAC of .04 or above, but less than .08, the interlock requirements will be extended for a period of 3 months. Any subsequent random retest failures due to a BAC of .04 or above, but less than .08, will result in additional 3 month extensions which will run consecutively. If a person fails one random retest due to a BAC of .08 or above, the interlock requirements will be extended for a period of 6 months. If a person 1) operates a motor vehicle not equipped with an interlock, or 2) attempt to tamper with or circumvent the device, or 3) failure to pullover after failing a random retest, the interlock requirements will be extended for a period of six months. If a person misses a required service visit to have the interlock calibrated, the interlock requirements will be extended for a period of sixty days.

Day-for-Day Credit for early installation?		No
Legislative Recommendation	<i>Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.</i>	
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?		No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>	
Indigent Program?		Yes

In order for DMV to approve an interlock vendor, the manufacturer must agree to reduce the cost of the device by at least 50% for persons who prove that they receive 3Squares, LIHEAP, or Reach Up benefits or like benefits in another state.

Interlock user fees (not including leasing costs of the device)	Yes
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Must pay \$125 to the DMV for an interlock restricted license and \$150 for a GPS enabled interlock license. For offenders on an interlock longer than one year, the interlock license must be renewed with the \$125/\$150 cost each year.

Virginia

Virginia's all-offender interlock law went into effect July 1, 2012. As of December 2017, there were 8,078 interlocks installed in Virginia. Between December 2006 to December 2017, interlocks stopped 19,760 attempts to drive drunk in Virginia.

Why MADD calls the law all-offender? Judges must order an interlock for all convicted drunk drivers and an interlock is required as a condition of a driver license agency imposed drunk driving license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
First offense	Upon revocation	6 months	Allow for the use of interlocks for any refusal
Second offense	Unclear	1 year	
First refusal	Interlocks not available for first-time refusals		

Compliance Based Removal? Yes

A recordable violation extends the interlock time period by six months. Legislative Recommendation

Day-for-Day Credit for early installation? No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock? No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program? Yes

All interlock service providers shall create and maintain an unaffordability fund to provide services for offenders who are eligible for a waiver or reduction of fees based upon a declaration of unaffordability by the Commission.

Interlock user fees (not including leasing costs of the device) Yes

Must pay \$20 to the interlock provider each month. The interlock provider remits \$10 to the local ASAP and \$10 will be submitted to the Commission on VASAP state office.

Washington

Washington's all-offender ignition interlock law went into effect on January 1, 2009. As of December 2017, there were 19,603 interlocks installed in Washington. Between December 2006 to December 2017, interlocks stopped 104,629 attempts to drive drunk.

Why MADD does call the law all-offender? All drunk drivers must use an interlock in order to drive during a court ordered or driver license agency imposed license suspension.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock
First offense	Upon arrest*	1 year
Second offense	Upon arrest*	5 years
First refusal	Upon arrest*	1 year

**If a person foregoes an administrative license revocation hearing.*

Compliance Based Removal?

Yes

The interlock requirement won't be removed until we receive notice from the interlock company that you haven't done any of the following in the previous 4 months: 1) Tried to start the vehicle with a breath alcohol content of .04 or more, 2) Failed to take or pass any required retest, 3) Failed to get scheduled maintenance, repairs, calibration, monitoring, inspection, or replacement of the device.

Day-for-Day Credit for early installation?

Yes

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

This program is funded by DUI offenders who can afford to pay an extra \$20.00 per month (this process funds the indigent program). The indigent driver just needs to complete a DOL Assistance program form to apply for indigence and DOL will approve or disapprove the applicant)

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$100 to the DMV for an interlock restricted license. Offender must also pay a \$20 monthly fee to the DMV which helps offset costs of interlocks to indigent offenders. Offender must also pay \$10 fee upon installation to Washington State Patrol (WSP) plus an additional \$5 monthly fee to WSP.

West Virginia

West Virginia's all-offender ignition interlock law went into effect in July 2008. As of December 2017, there were 3,622 interlocks installed in West Virginia. Between December 2006 to December 2017, interlocks stopped 26,568 attempts to drive drunk.

Why MADD calls the law all-offender? The only way a first-time arrested drunk driver can drive during a driver license agency imposed license suspension is via an ignition interlock.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .08 to .14 BAC	Upon arrest*	4 months	<i>Eliminate interlock waiting periods for refusals.</i>
1st offense .15 BAC or more	Upon arrest*	6 months	
Second offense	Unclear	2 years	
First refusal	45 days after revocation	1 year	
Compliance Based Removal?			Yes

No person will be removed with recorded violations during the last 60 days of scheduled participation and shall be assessed additional penalty time up to 60 days or until final download is violation free. All participants of the WV Interlock Program are governed by the following demerit system. This demerit system has been established to formalize the DMV's policy regarding violations occurring during participation of the Interlock Program. Demerit accumulation may cause an extension of the program participation and/or disqualification. For example, participants of the Interlock Program that blow a High BAC upon initial startup of his/her vehicle may be assessed a \$50 fee by the servicing Interlock provider. Upon verification of this violation by the DMV, a demerit assessment, program extension and /or disqualification will be administered in accordance with this policy. The Division shall monitor for program compliance every thirty days from the date of installation. All violations occurring within a monitoring period will be reviewed and the violation causing the greatest demerit value will be assessed.

Day-for-Day Credit for early installation?	Yes
Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?	No
Legislative Recommendation	<i>Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.</i>

Indigent Program?	Yes
The fee for installation and removal of an interlock shall be waived for persons determined to be indigent by the Department of Health and Human Resources. The commissioner shall establish by legislative rule, procedures to be followed with regard to persons determined by the Department of Health and Human Resources to be indigent.	

Interlock user fees (not including leasing costs of the device)	Yes
Must pay \$100 to the DMV upon application.	

Wisconsin

Since July 1, 2010, Judges must order ignition interlocks for all refusals, repeat and first-time convicted drunk drivers with a BAC of .15 or greater. As of December 2017, there were 14,168 interlocks installed in Wisconsin. Between December 2006 to December 2017, interlocks stopped 258,772 attempts to drive drunk in Wisconsin.

Why MADD does not call the law all-offender? Judges are not required or allowed to order an interlock for first-time offenders with a BAC of .08 to .14.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .15 BAC plus	Upon conviction	1 year	<i>Require interlocks for all convicted drunk drivers. Eliminate waiting time to go on interlock.</i>
Second offense	45 days after conviction	1 year	
First refusal	30 days after conviction	1 year	

Compliance Based Removal?

No

However, interlock circumvention, disconnection, removal or tampering results in fines plus a mandatory six-month extension of the interlock order period. Circumvention includes breath samples from sources (human and non-human) other than the offender, manipulation of samples that enable a driver with a prohibited alcohol concentration to start or operate a vehicle equipped with an interlock and failure to complete any servicing. Failure to install an install in each vehicle owned by the offender will result in a fine of \$150-\$600 and/or up to six months in jail at court's discretion, plus a mandatory six-month extension of the interlock order period.

Legislative Recommendation

Add a statewide compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).

Day-for-Day Credit for early installation?

No

Legislative Recommendation

Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation

Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.

Indigent Program?

Yes

Low-income offenders, with annual incomes less than 150 percent of the Federal Poverty Level (FPL), are entitled to pay only half of the regular cost of interlock installation and monthly service fee. The FPL is adjusted annually and depends on the number of people in the household.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$50 fee to the court.

Wyoming

Since July 1, 2009, interlocks are required for all refusals, repeat and first-time convicted drunk drivers with a BAC of .15 or greater. As of December 2017, there were 1,186 interlocks installed in Wyoming. Between December 2006 to December 2017, interlocks stopped 15,997 attempts to drive drunk in Wyoming.

Why MADD does not call the law all-offender? Judges are not required or allowed to order an interlock for first-time offenders with a BAC of .08 to .14.

Ignition Interlock Law Overview and MADD Legislative Recommendations

How soon can an ignition interlock be installed?		Duration on ignition interlock	Legislative Recommendation
1st offense .15 BAC plus	45 days after conviction	6 months	<i>Require interlocks for all convicted drunk drivers. Eliminate waiting time to go an interlock.</i>
Second offense	Unclear	1 year	
First refusal	Unclear	6 months	

Compliance Based Removal?

No

However, circumventing or disconnecting the device will result in additional legal action, driving penalties and additional ignition interlock required time

Legislative Recommendation *Add a statewide compliance based removal component to the law (a user must prove a certain period of sober driving before exiting the interlock program).*

Day-for-Day Credit for early installation?

No

Legislative Recommendation *Allow for the use of ignition interlock after arrest and credit early installation of an interlock toward time ordered on an interlock upon conviction.*

Do plea agreements or reductions in the original DUI charge include the requirement of an interlock?

No

Legislative Recommendation *Allow a first-time apprehended drunk driver who did not cause an injury or property damage crash, and successfully completes six continuous months on an ignition interlock and completes other court or department conditions to be granted a plea deal.*

Indigent Program?

Yes

Approval for reimbursement of half the ignition interlock installation fee and monthly service fee(s) is based solely upon enrollment and eligibility for the Wyoming Food Stamps program. If, for any reason, your eligibility is cancelled by Wyoming Department of Family Services, you will not be eligible for continued reimbursement.

Interlock user fees (not including leasing costs of the device)

Yes

Must pay \$100 to the DMV for an interlock restricted license plus a \$50 reinstatement fee.

